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[104]

REPORT

ON THE

MANUSCRIPTS

OF THE

EARL OF MAR AND KELLIE

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INTRODUCTION.

The house and earldom of Mar is one of the greatest antiquity in Scotland. Indeed, claim has been made for it as the premier earldom of that country. The lord of that earldom was one of the seven earls who had the right when the throne was vacant of electing the new sovereign. So early as 1014 mention is made in the Annals of Ulster of Donald, Mormaor or Earl of Mar, as having in that year been slain at the battle of Clontarf in Ireland, when fighting with the King of Leinster and the Danes. Rotheri is mentioned as Earl of Mar between 1114 and 1131, but his relationship to the Donald above mentioned is not known. Morgund was Earl in the reigns of King David the First and King Malcolm the Fourth. He was, however, dispossessed for a time by one Gilchrist, who during his tenure of the earldom founded the priory of Monymusk. But Morgund was restored by King William the Lion, and died before 1183. His wife's name was Agnes, and he had at least two sons, Duncan and David. After the death of Morgund there was again a Gilchrist Earl of Mar, who had a wife called Orabile, and he was succeeded by Duncan, the son and heir of Morgund, who flourished during the reign of King Alexander the Second. Earl Duncan had a son, William, who is found in possession of the earldom in 1268. He married Elizabeth, daughter of Alexander Comyn, Earl of Buchan, and had a son Donald, who was flourishing as Earl of Mar in 1283-1297, and took the English King's side in the wars of independence. Donald was succeeded in the earldom by his son, Gratney, who, though at first loyal to Edward, seems to have afterwards taken part with Robert the Bruce. It is stated by Fordun and others that he married Christian Bruce, that King's sister. He died, however, before 1306, as upon the news of Bruce's insurrection reaching Edward's ears, Gratney's infant son, Donald, who was then heir to the earldom of Mar, was ordered by Edward to be kept a prisoner by the Bishop of Chester in the Castle of Bristol. This Donald after-

wards became Earl of Mar, and was Regent of Scotland during the minority of King David the Second, but was killed at the battle of Dupplin on 12th August, 1332. His son Thomas was then under age, and was prevented from entering to the succession by Richard Talbot, who seized the earldom of Mar and sat in the Scottish Parliament as Lord of Mar in right of his wife, Elizabeth Comyn. Thomas, however, was Earl of Mar in 1357, when he was a party to the Treaty between Edward the Third and David the Second, but he died without male issue before June, 1374. His sister Margaret was then the wife of William, Earl of Douglas, and that earl, on receiving a Charter of the Earldom of Mar from King Robert the Second, added the title of Mar to that of Douglas. The double title descended to his son James, Earl of Douglas and Mar, but he died without lawful male issue in 1388, his mother, Margaret, Countess of Douglas and Mar, being still alive.

Countess Margaret married as her second husband Sir John Swynton, who assumed the designation of Lord of Mar, and the like designation was also assumed by Sir Malcolm Drummond, brother-in-law of King Robert the Third, who married Isabella Douglas, the daughter of Countess Margaret, and sister of James, Earl of Douglas and Mar. Isabella succeeded to the earldom of Mar and lordship of Garioch, and styled herself first Lady of Mar, and then Countess of Mar and Lady of Garioch. In 1404 she married as her second husband Alexander Stewart, and to him at the same time she conveyed the earldom of Mar and the lordship of Garioch. He was afterwards known as the Earl of Mar and Garioch. Upon his death in 1435, without lawful issue, the Crown took possession of these lands and they were granted with the title of Earl of Mar and Garioch, first to John Stewart, a younger son of King James the Second, and afterwards to his brother Alexander, Duke of Albany, and his heirs. This prince being forfeited in 1484, the earldom again reverted to the Crown, and was conferred by King James the Third upon John Stewart, his third son, but, as he died unmarried and issueless, it once more fell into the hands of the Crown. The Duke of Albany, however, notwithstanding the forfeiture, continued to hold the title of Earl of Mar, and transmitted it also to his son John, who is named by the Estates of Scotland as Duke of Albany, Earl of March, Mar, and Garioch, and Lord of Man and Annandale.

The family of Erskine appear to have derived their name from the lands of Erskine on the Clyde, of which they were in possession in the reign of King Alexander the Second. How their connection with the earldom of Mar originated is involved in some obscurity. After the failure of the Celtic Earls in Earl Thomas, and while Isabella Douglas was Countess of Mar, Sir Thomas Erskine, in 1391, presented a petition to the Scottish Parliament claiming that after the death of Countess Isabella he would be, in right of his wife, entitled to the half of the lands of the earldom of Mar and lordship of Garioch, and craving that nothing should be done to his prejudice upon any resignation which might be made of the earldom and lands by Isabella Douglas.* The justice of this claim was admitted by the King and Parliament. His son, Robert, first Lord Erskine, afterwards obtained himself served heir of line and blood to Countess Isabella, and assumed the designation of Earl of Mar, claiming to be the great-grandson of Lady Elyne or Helen de Mar, the eldest daughter of Earl Gratney, and sister of Earl Donald. This service was afterwards reduced on several grounds, one being that the descent from Lady Elyne of Mar could not be proved.

The descent, however, may be given as follows:—Gratney, Earl of Mar, married Lady Christian Bruce, sister of King Robert the First, and daughter of Robert Bruce, Lord of Annandale, by Marjorie, Countess of Carrick. By her Earl Gratney had his son Donald and a daughter, Lady Helen, who married Sir John Menteith;† and Sir John and Lady Helen had a daughter, named Christian, who married Sir Edward Keith. Their daughter, Janet Keith, married first Sir David Barclay, and secondly, Sir Thomas Erskine, by whom she was the mother of Robert, Lord Erskine. That there was some connection of undoubted validity seems certain from the strenuous nature of the claims the Erskines made from generation to generation to their lands, even against the efforts of the Crown to deprive them of them; and that these efforts were harsh was admitted by Queen Mary and her

*The other half of the earldom and lands was claimed by Robert, Lord Lyle.

† In a Memorial by the Earl of Mar in 1683, to the king he states that Earl Gratney had two daughters, the other being named Isobel, who became the first wife of King Robert the Bruce. (See *infra* p. 215.)

Government when in 1565 she granted the Earldom of Mar to John, sixth Lord Erskine, and afterwards in the same year created him Earl of Mar.

Robert, first Lord Erskine, married a daughter of Robert Stewart, Lord of Lorn, and had with other issue Thomas, second Lord Erskine. He married Lady Elizabeth Douglas, daughter of James, Earl of Morton, and dying before 1494, was succeeded by his son Alexander, third Lord Erskine. This Lord Erskine was guardian to King James the Fourth in his minority, and married Christian, daughter of Sir Robert Crichton of Sanquhar. Dying before 1510, he was succeeded by his son Robert, fourth Lord Erskine, who married Isabella, daughter of Sir George Campbell of Loudon, and was killed at Flodden in 1513. John, fifth Lord Erskine, his son, married Lady Margaret Campbell, daughter of Archibald, Earl of Argyll. He was guardian to King James the Fifth, and died in 1552. His second son, John, who succeeded as sixth Lord Erskine, was created Earl of Mar by Queen Mary, and had the guardianship of King James the Sixth in his minority (whose cradle and chair, with many other interesting relics of the King and his mother, are still preserved at Alloa House). He was frequently ambassador to foreign courts, and was Regent of Scotland. Marrying Annabella, daughter of Sir William Murray, of Tullibardine, he had a son John, the second Erskine Earl of Mar, who, besides discharging other important services to the State, was for fifteen years Lord High Treasurer of the kingdom. A later Earl, John, the sixth, was one of the Secretaries of State for Scotland in the reign of Queen Anne, and to him belongs the credit of introducing and carrying through in the Scottish Parliament the Act of Union by which in 1707 the two kingdoms of Scotland and England were welded into the United Kingdom of Great Britain. But this Earl is even better remembered in Scottish history as the leader of the Jacobite Insurrection of 1715. His connection with both of these events is fully brought out in the Report.

The documents dealt with in this Report are those relating only to the period of the Erskines, Earls of Mar. Their family muniments consist of a large collection of feudal charters connected with the various estates throughout Scotland

possessed by the Earls of Mar, in the counties of Clackmannan, Stirling, Aberdeen, Fife, Berwick, and others, which are not here included, with the exception of an old Latin rental, which notes, somewhat incorrectly in certain cases, some of the oldest of these (pp. 1-6); and a few other documents. To one of these, dated in 1639, attention may be drawn as giving the vassalage of the Earl of Mar at that time (page 9), which included no less a personage than the Marquis of Huntly, and other members of the powerful house of Gordon, and also of those of Forbes, Seton, and others. A considerable number of the earlier Mar charters, however, were printed in the Minutes of Evidence taken in the House of Lords during the hearing of the claim made by the late Earl of Kellie to the Earldom of Mar. There is also a large collection of historical letters and papers, which date from 1522, and extend over two centuries, touching in their course, more or less minutely, almost every successive change in the national life during that period. But the reigns of King James the Sixth, his son Charles the First, and that of Queen Anne, are those chiefly illustrated. In the two former reigns the principal actor, so far as the papers under consideration are concerned, was John, the second earl, and in the last, John, the sixth Earl of Mar. It is with this collection of letters and papers that this report deals.

Several important and interesting documents occur in the time of John, fifth Lord Erskine, first Earl of Mar, who was Regent of Scotland. Some of these refer to the arrangements made for the safe keeping and education of the infant Kings, James the Fifth and James the Sixth, which will be adverted to presently. Others are letters addressed to this Earl of Mar, and include several from Queen Elizabeth on State business, including the case of Queen Mary, and the care of the infant King James. This Earl was well known to the English Queen, owing to his frequent visits to her Court. In this connection one letter from Alexander Hay, Clerk to the Scottish Privy Council, to this Earl, will be read with interest. The writer tells how that her Majesty is greatly moved by a jewel which was sent by the Countess of Athole to Queen Mary in England, but which was intercepted and fell into the hands of Queen Elizabeth. He describes it as well decorated with gold and enamelled, having in one place the arms of Scotland,

and in another place the Queen sitting in royal robes, while in her presence a lion rampant is worrying a leopard. Underneath were these words:—"Fall quhat may fall the lyoun sall be lord of all." The Clerk adds that her Majesty makes a familiar interpretation of this (p. 23). There are also some letters concerning Lady Margaret, Countess of Lennox, just after she had been left a widow by the murder of her husband, the Regent (pp. 25-27).

Many of the earlier papers are concerned with the arrangements made with the Earls of Mar for the keeping and upbringing of the royal infants, for for more than a century the Lords Erskine and Earls of Mar were successively the guardians of the monarchs of Scotland during their infant years. As already mentioned, Alexander, third Lord Erskine, had the care of King James the Fourth, but for his period no papers now exist. John, fifth Lord Erskine, had the care of King James the Fifth (pp. 11-14), who appointed him one of his own son's tutors and governors (p. 15). He had also for a time the care of the infant Princess Mary, afterwards Queen of Scots. And to the son of this Lord, whom, as stated, she ennobled as Earl of Mar, she in turn committed the keeping of her infant son James. And King James the Sixth himself could find no better guardian for his own infant son and heir, Prince Henry, than the son of his own guardian, with whom he himself had been brought up, and with whom he was on terms of great familiarity.

After the death of the Regent Mar in 1572, his widow, Annabella Murray, continued to have the guardianship of the infant Prince, who had as his pedagogues Mr. George Buchanan and Mr. Peter Young. The Regent's son, John, second Earl of Mar, was in minority at the time of his father's death, but he soon rose to political importance, and his correspondence and papers occupy a considerable space in the report (pp. 30-193). He was educated along with King James the Sixth, and consequently there was a lifelong affection between them. The King wrote often to him with his own hand and in a familiar strain. But amid the ever-changing political situation it was an almost impossible task to keep free of entanglements, and on one occasion this Earl fell under the strong displeasure of his Majesty for taking part with the Earl of Angus in the latter's efforts to save the life of the Regent

Morton (pp. 32-36). The estrangement, however, did not long endure. This Earl had in his charge the keeping of the Castles of Edinburgh and Stirling, and with them the custody of the political prisoners confined therein. The arrangements made with him on receiving the charge of the King's infant son, Prince Henry, may be seen (pp. 39-44), while the King's entire confidence in him on many grounds is often expressed, and he had also recourse to him in his difficulties in matters of finance (p. 43). This Earl was sent as ambassador with the Abbot of Kinloss to Queen Elizabeth in 1601. In 1603 her Majesty's death took place, and King James succeeded to the crown of England. His Majesty at once removed to London, leaving his wife and children to follow. The Queen was evidently fearful that her son might be hindered from going with her, and there seems to have been some kind of plot arranged by her for getting Prince Henry out of the hands of the Earl of Mar (p. 50). The Earl, however, prevented this, and refused to give up the Prince until, in terms of his explicit instructions, he had the King's own authority to do so. Both parties represented the case to his Majesty, and he instructed the earl to bring the Prince in the Queen's company to London, and sent him a formal discharge of his office of guardian when this was done (p. 51). The Queen and the Earl of Mar, with Prince Henry, and the Princess Elizabeth, and the infant Prince Charles, arrived in London on 27th June, 1603.

Her Majesty's letter to the King must have been of a somewhat querulous nature, when it called forth from him the following reply:—

"My hairte, Immediatlie before the ressaite of youre lettir I was purposed to have written unto you, and that without any greate occation except for freeing myself at youre handis from the imputation of swearenes, but now youre letter hes given more maitter to wryte, although I take small delyte to medle in so unpleasant a proces. I wonder that youre long knouledge of my naturall, nor my laite earniste purgation unto you, cannot cure you of that rooted erroure that any living darre speak or inform me in any wayes to youre prejudice, or yett that ye can think thaime youre unfriendis that are tru servantis to me. I can say no more, but proteste upon the peril of my salvation and damnation that nather the Erle of Marre nor any flesh living ever informed me

that ye was upon any papiste or Spanish course, or that ye hadde any thochts, but a wrong conceaved opinion that he claimed interest in youre son, or wolde not deliver him unto you. Nather does he farther charge the noblemen that was with you thaire, but that he was informed that some of thaime thocht by force to have assisted you in the taking my sonne out of his freindis handis, but as for any other papiste or forrine practise, be God he doeth not so much as alleadge it, thairfore he sayes he will never presume to accuse them since it may importe youre offence. And thairfore I say over againe leave these womanlie aprehensions, for I thanke God I carrie that love and respecte unto you quhiche be the law of God and nature I ought to do to my wyfe and mother of my children, but not for that ye are a kings dauchter; for quhither ye waire a kings or a cooks daughter, ye must be all alyke to me, being once my wyfe. For the respect of youre honorable birthe and discente I maried you, but the love and respect I now beare you is that ye are my maried wyfe and so pairtaker of my honore as of all my other fortunes. I beseach you excuse my rude plainness in this, for casting up of your birthe is a neidless argument to me. God is my witness I ever preferrid you to all my bairnes, much more then to a subjecte, but if you will ever give place to the reporte of everie flattering sicphante that will persuade you that when I account well of an honest servant for his tru service to me, that it is to compare or preferre him to you, then will nather ye or I be ever at reste. I have, according to my promeise, coppied so much of that plotte quhairof I wrote unto you in my last as did concern my sonne quhich herein is inclosed, that ye may see I wrotte it not without cause, but I desyre it note to have any other secretarys then your self. As for youre dooleweede wearing it is utterlie impertinent at this time, for sic reasons as the bearare will shaw unto you, quhom I have likewise comandit to impairte dyvers other points unto you, quhich for feare of wearieing youre eyes with my raggite hande I have heirin omitted, praying God, my hairte, to preserve you and all the bairnes, and to sende me a blythe meeting with you and a couple of thaime. Your awin JAMES R."

The Union of the Crowns lifts matters into a wider plane. There is a letter from King Henry the Fourth of France (p. 62), in which he desires the Earl to continue to assist with his

* From a copy in the Charter Chest of the Earl of Mar and Kellie said to be made from the original in the King's own hand "found in the Hab of Lasterricks Charter Chest and now in Baron Clark's custody."

good offices, the Sieur de Beaumont, his ambassador at the English Court. The two following letters are gossiping epistles from Lord Northampton to the Earl. The fit of anti-popery taken by the King at this time, most markedly manifested in his relentless persecution of Lord Balmerino, is here reflected in some letters (pp. 60-63) dealing with the imprisonment of the Earls of Huntly and Erroll, whom he says devilish jesuits and trafficing priests had caused to make a foul apostacy from the truth once professed by them. He has not forgotten about the Spanish blanks and notes, the evil weed still producing the same unsavoury blossom as formerly, for once mad always mad. Therefore Mar must go to Court about the matter, as there are no other persons but himself and the somewhat frail Earl of Dunbar whom his Majesty can trust in Scotland, and the too frequent running to and fro of the Scottish bishops is giving rise to scandalous rumours. These letters from the King shew the continuance of the King's confidence in Mar. In one (p. 65), the King gives his consent to the marriage of a son of the Earl to the second daughter of the Earl of Erroll, in which he expresses the hope that thereby she will be fully won away from her father's religion. An interesting note with respect to a conference at Whitehall upon the then proposed marriage of Prince Charles with a daughter of France will be found at p. 74.

It was on the overthrow of the Earl of Somerset, who had, in succession to the Earl of Dunbar, held for some years the post of Lord High Treasurer of Scotland, that in December, 1616, John, Earl of Mar, was selected by the King to fill this important position (p. 77). This office he continued to hold without a break for the period of fifteen years. From this date there are many papers, letters and warrants directed to him in this new charge. Even prior to 1616 some of these appear; and one (p. 70) is a somewhat important table, apparently compiled in 1614, of the produce exported from Scotland at that time. Notice of the visit of King James to Scotland in 1617, with a list of his daily journeys, will be found at p. 80. A confidential letter written with the King's own hand (p. 84) directs his treasurer to pay to the Marquis of Hamilton £3,000 sterling; a sum so large that the King has to apologise for such a demand upon an exchequer which could never boast of repletion, but almost always the reverse. But

I am so fully satisfied, he says, and so much rejoiced at the conquests I have made in drawing this man to wait upon me, now that I know him as he doth me, that I assure myself his service will repay my liberality with a double interest.

Many other letters are directed to this Earl in his capacity of Treasurer, and dealing with affairs of State. These are of so miscellaneous a character that only of a few can mention be made here. One (p. 85) deals with the preservation of the estates of the Earl of Argyll, which, owing to his perversion about this time to the Church of Rome, might have been forfeited, but which the Scottish officers of State successfully exerted themselves to save from this fate. Another (p 85) notes the bestowal by the King upon Prince Charles, of the lordship of Dunfermline and other lands which had been the jointure lands of his now deceased mother, Queen Anne. By the death of his brother, Prince Henry, Prince Charles was now the heir to the throne, and his father for the development of the Prince's administrative capacity, had placed him in possession of the principality of Scotland—that is, of the estates set apart for the support of the heir-apparent to the throne. Attention may also be called to a letter from the Duc du Bouillon to the King of France in 1621, in which the Duke makes an earnest appeal to King Louis the Thirteenth on behalf of toleration for the Huguenots.

In 1621, Sir Gideon Murray, who had long held the office of Deputy Treasurer of Scotland, failed in health and was relieved of his office (p. 95). The Earl of Mar thereupon undertook the sole management, and would have so continued to do, but after a year's experience of this the King insisted on a new depute being appointed, his choice falling upon Sir Archibald Napier, afterwards Lord Napier (p. 116). Many of the letters and papers during this period bear evidence of the great scarcity of money in Scotland, caused, to a large extent, by the withdrawal of the coin by merchants to purchase goods abroad. What made matters worse was their bringing back foreign coin of an inferior value, which, owing to the scarcity, took currency in the country along with the native coin. But the scantiness of the revenue was Mar's chief trouble. He had to meet not only the working demands of the country, but a large and increasing number of pensions which had been granted by his Majesty on the giving up of

his Scottish establishment and for other causes, and the Earl felt it necessary to go to Court and consult the King personally on the matter. The result is embodied in some directions brought down by the Earl, and in some memoranda made by him after he left the Court (pp. 97-102), in which he mentions one or two things imparted to him by the King, doubtless in confidence, such as his design to revisit Scotland next year, and this time to come by sea; his dissatisfaction with the temper shewn by the Chancellor in respect to the King's wishes, and especially in the Parliament; and his desire that the sacrament should be the object of adoration in Scotland, as it was in the Church of England, in which Mar seems to indicate that he will be the King's friend. But even though Mar had quite persuaded the King to retrenchment, James was unable to resist the claims of his needy favorites, and Mar found that things only tended to grow worse. Accordingly he wrote to the King, and at the same time and for the same end, to Prince Charles and to the Marquis of Buckingham (pp. 109, 110), and in his letter to the Prince he points out the nature and one cause of the evil. Since the union of the crowns, the intercourse between Scotland and England had increased, and the poorer but perhaps prouder Scots, unwilling to appear in any way behind their wealthier English friends, squandered their estates, and so brought themselves to beggary, or what was worse for the country, to depend upon the King's bounty. To no one was the King more liberal than to the Marquis of Hamilton, for whom he demands (pp. 108, 111), the immediate payment of £10,000 sterling for his good services at the Parliament of 1621, which had delighted the King by the ratification of the Five Articles of Perth. This, says the King, I promised to him on his return from Scotland, and his service at that Parliament deserved a great deal more. Therefore, according to his merit, let him be cheerfully satisfied in this. Probably he did not receive it so readily, as not long afterwards the King urges payment to him of £12,000 sterling.

The second son of this Earl of Mar by his second marriage was Henry Erskine, father of David, Lord Cardross. He was in London in March, 1624, and writes home to his father (p. 122) of the proceedings in the English Parliament when the Duke of Buckingham related his story of the negotiations for the marriage of Prince Charles to the Spanish Infanta,

and of other matters, including the discussion upon the Palatinate, which was now to be abandoned to its fate. A letter from the King to the Earl (p. 127) seems to be connected with the later negotiations with France for the Prince's marriage, wherein the King desires that four or five couples of Scottish terriers or earth dogs be sent to him that they might be included among the presents he was sending to the French Court. So anxious was the King that they should come safely that he bids Mar see to it that they were not all sent in one ship.

The death of King James sent a thrill of apprehension through many of the members of the Scottish Cabinet; but for the immediate present King Charles made no changes. These, however, were imminent, and in some respects were intended to be radical and far-reaching. One of the first was an order (p. 131) for the appointment of a Commission of Exchequer or Treasury by which the powers of the Lord High Treasurer were much abridged. Another was the entire separation of the Privy Council from the Court of Session. Until now some of the members of Council had been also Lords of Session, but the King had made up his mind that no nobleman should have a seat upon the judicial bench (p. 133). The appointment of the Commission of Exchequer was taken by Mar as an act of censure upon himself, and his conduct in his office, and it drew from him a personal remonstrance to the King (p. 133). But indeed the whole order of government was so much upset by the King's new proposals that the Scottish Privy Council practically rebelled, and the principal members of it were called up to Court, Mar among the rest. There a series of conferences took place with the King at Whitehall, of which the Earl of Mar has happily left a somewhat detailed account in his "Short Notes" (pp. 133-146). These place on record the principal matters of dispute, and shew that the proposed changes were largely due to the suggestions of certain busy-bodies who had been at work beforehand with the King. Among these were the Earl of Nithsdale, Lord Ochiltree, the Bishop of Ross, Sir Alexander Strachan of Thornton, Sir John Scot of Scotstarvet, and some other body whom the King said he knew by sight but could not name, scarcely one of whom had had any experience in administration work. They kept themselves in evidence during the confer-

ences, and were the means of evoking, even in the Royal presence, no small display of heat on the part of the councillors, to which the somewhat stubborn attitude of Charles himself doubtless lent additional fuel. The aged councillors who had spent their lives in their King and country's service resented being brought to book by those whose youth and inexperience for the most part gave them no title to speak, or whose character was sufficiently known and held in contempt by them. Perhaps it seemed to them as if Charles was about to emulate the conduct of the son and successor of Solomon, and might bring his "ancient kingdom" to like ruin, and his old Scottish councillors were meanwhile at least at one in endeavouring to restrain his rashness. The Earl of Nithsdale had been a favourite with King James the Sixth, but was practically a fugitive in England for debt, not daring to shew himself in Scotland but under a protection against his creditors. Of him and Ochiltree the Chancellor is speaking at the close of the meeting on the 17th January (p. 140), when he says that their opponents were such as had made shipwreck of their own estates, and desired, by urging the King to prosecute his Revocation, to fish in drumly waters, so that by shaking all things loose they might get something to themselves. Before long Ochiltree was to outwit himself at the same game as he was now playing, and to find leisure enough in prison to wish that he had made fewer enemies in the Scottish Council. The Bishop of Ross, Patrick Lindsay, although a member of Council, was more desirous of flattering and pleasing the King than giving good counsel; so at least it was judged by his fellow-councillors. He made a long and feckless (not pertinent) speech, says Mar, on one point of discussion not worth the repeating, and which the Earl of Melrose openly said he would not have made if he had known the laws as well as his own calling. On another occasion when the King's Revocation was under consideration, says Mar, that worthy, judicious lawyer, the Bishop of Ross, babbled all the time without sense or reason, so that everyone might have seen that his judgment was far short of what the gravity of his beard promised. Sir Alexander Strachan of Thornton, had lately been the object of the Council's attention in another aspect, having been placed on trial before them and dealt with by them on charges of theft and more heinous crimes. When, therefore, the King, in sending down his new Commission of Council, included his

name, the whole Council received it with horror, and one and all remonstrated at so infamous a man coming in among them. The King brought up his case i.. conference, somewhat unfortunately for Strachan, as it gave occasion to him to try to justify himself by accusing his accusers, and made them reveal his misdeeds to the King, though the recital does not appear to have affected the estimation in which he was held by Charles. Sir John Scot of Scotstarvet, had an ambition well known to his fellow-councillors, which he ever hoped but ever failed to satisfy. He tried it in many ways, and the course he now took of endeavouring to ingratiate himself with the King at the expense of his fellow-councillors provoked their indignation, to which they freely gave expression.

The chief matters of disputation were as follows:—(1) the employment of the taxation, which the King wished should include, besides the purchasing and equipping three ships of war for the maritime defence of Scotland, the raising and maintaining of a body of 2,000 men. This the Council represented could not be done owing to the poverty of the country. But Nithsdale and others thought it could, and at the close of their conference the King declared to Mar his determination that it should; to which Mar's only reply was that time would show. (2) When the King had sent down the new commission for the Council they had returned it for amendment, which gave great offence. The chief point was that the King had included in the commission a clause by which he secured the members of the Privy Council from being arrested for debt. To this the Council took the strongest exception. Perhaps they suspected the design of those who were prompting the King to introduce these novations, as seeking to make an opening for their own safe return, but even if they did, the ground on which they took their stand did them honour, viz., that they could never in justice or conscience deal with cases between debtors and creditors if any of their number were tainted with the like; and that as hitherto his Majesty's Council had been pure in this respect, they were concerned to keep it so. (3) The King's Revocation. This was of such a sweeping nature that the report of what was intended had caused the utmost alarm and consternation throughout the country, and indeed, it was destined to have effects of a more serious nature than Charles or his flatterers dreamed. But in this, as in other things,

the King proved stubborn. (4) Disobedience to the King's orders. Charles laid down this rule which he said had been violated. His messages to his Scottish Council were of two kinds, the one in which he asked his Council's advice, and in which he granted there might be delay, and the other in which he directly commanded and expected unquestioning obedience. Ye durst not have done so to my father, said Charles to Mar. But Mar informed him that his worthy father had sent down directions a hundred times which his Council had delayed, and that for this he had afterwards thanked them. He thought that his Majesty, not being sufficiently informed of the laws of the country, and led by some particular man for his own private ends, had sent down his directions directly against the law, and they as councillors, being sworn to give him true counsel, could not do otherwise than they had done.

(5) The tenure of the Lords of Session. Sir John Scot had been inciting the King to the belief that upon his father's death the places of the judges became vacant. Against this the Scottish Council opposed themselves strongly and succeeded in maintaining the old tenure of *ad vitam aut culpam*, though for a time the work of the Court was kept at a stand. Sir John Scot sought to justify his opinion by referring to his ancestors, who had been honoured successively to hold the office of Director of Chancery, and he appealed to Mar that he knew his grandfather was an honest man. Yes, replied Mar, I knew him to be a very honest man, and if they say "Auld deid folks will fley baerns," I wish he were now beside you to hear you speak. This answer greatly amused the King. But the question about the Session raised another as to its decision, for the Session being a party, who was to be judge? And in this the councillors were again opposed by the coterie who had taken first possession of the King, and now hoped to flatter him into asserting his absolute supremacy; but the councillors stood firm.

(6) The Treasury Commission. In this Mar himself was chiefly concerned, and the matter was at first indirectly raised by an attack made upon him by Strachan, and then by the Earl of Nithsdale, who came to his friend's aid, followed by an extremely heated passage between them, which led the Marquis of Buckingham to interpose and make peace. It was afterwards brought forward by the King, when Mar declared

his objections against it both personally and in respect of the law. But at the end of all Charles was dissatisfied with the stand made by the councillors against his proposals. He had hoped for a calm acquiescence in the larger views of the absolute supremacy of the Kingship which he entertained, even though his little finger were thicker than his father's loins. And the firmness of the old Scotsmen in their innate love of liberty and law, was a lesson lost upon him, which he had to learn later in a sterner way.

The Earl of Mar afterwards continued some of the subjects of conference in private correspondence with the King, and the letters and papers which follow shew matters straightening out, especially with reference to the royal Revocation and the Exchequer. In 1630, however, Mar was relieved of his office of Treasurer, and William, Earl of Morton, appointed in his place (p. 173). Mar promised to render assistance to his successor in the service, and consequently papers connected with the revenue of Scotland continue to appear for a short time longer.

An interesting group of eight letters written by the Princess Elizabeth, now Queen of Bohemia, to the Earl of Mar, between 1623 and 1635, will be found at p. 76. They are all written from the Hague. There runs through them all a subdued reference to her own misfortunes, but in several she refers to and interests herself to further the marriage of the Earl's third son, Sir Alexander Erskine (who was afterwards killed at the blowing up of the Castle of Dunglass in 1640), the lady of his choice being one of her own gentlewomen.

Reference has already been made to James, Lord Ochiltree, and at pp. 181-191 there will be found papers in the proceedings taken against him for falsely accusing to the King the Marquis of Hamilton and the Earls of Haddington, Roxburgh and Buccleuch as being engaged in a conspiracy against the throne. He had obtained his information from Lord Reay while they were in the Low Countries, and others are mentioned as being privy thereto, as Sir James Ramsay, Sir James Hamilton, Colonel Alexander Hamilton, Captain Douglas and the Earl of Seaforth. Rumours, it appears, were floating about the Continent that the Marquis intended to employ the troops raised by him for service under Gustavus Adolphus in securing

the throne of Scotland for himself. These had reached the ears of Lord Reay, and he having made Lord Ochiltree his confident the latter was in haste to reveal it. They went to the Lord Treasurer of England with the information, but Lord Ochiltree was more forward in the matter and went to the King, urging him (especially on one occasion before his Majesty had finished dinner) to take immediate action against the alleged conspirators, saying: "Sir, now we knaw the bessines but knawis not the tyme, and thairfore, sir, either do or die." But the Marquis of Hamilton stood too high in the King's estimation and too strong in his affection, to permit of this suggestion being entertained, with this consequence to Ochiltree that he got a reward he did not expect. He was sent down to Scotland in custody to be dealt with by the Privy Council according to law for leasingmaking, and he endured a long and miserable imprisonment there, from which Charles, though frequently petitioned to do so, shewed no inclination to release him.

A letter from the Viscount of Wentworth (p. 193) affords a glimpse of that nobleman's administration of the government of Ireland, and incidentally mentions the death of John, second Earl of Mar. He appears to have died in March, 1635. The letter is presumably to that earl's son and successor, who was desirous of acquiring an estate in Ireland. For the following period between this date and the Revolution in 1688, the letters and papers evidently suffered in some way, as they are very few. Those which immediately follow carry us into the stormy period of the civil wars of Charles the First, and at p. 198 will be found a curious rhyming prophecy attributed to Sir James Galloway, who was Master of Requests to King James the Sixth, and a member of the Privy Council in the reign of King Charles the First, and which, if genuine, proved remarkably true. In the conflict between the Scots and the King, the Earl of Mar assisted the Scottish Estates with his followers, and the list of the men he could command from Strathdon is given at p. 197. Just at the time the English Parliamentary Commissioners were adjusting the terms of the Solemn League and Covenant with the Scottish Parliament at Edinburgh, the Earl received a letter (p. 199) from the King, who was then at Oxford, solemnly protesting once more his intentions of faithfully preserving inviolable the privileges of his Scottish subjects, both ecclesiastical and civil, according

to the laws of Scotland, and desiring the Earl to convene his friends and vassals and assure them of this. But the Scots had already received too many vain assurances of the like kind. The letter is evidently a circular and was probably sent to other nobles as well as to Mar. The next letter is a summons to the Earl from the Scottish Council a few months later to come and swear the Solemn League and Covenant with the rest of the Council, and the paper following shews that at this stage of the quarrel there was an abortive attempt at intervention made by the King of France with the Scots in behalf of Charles. Later in the course of "the troubles" of this period Mar is found, willingly or unwillingly, assisting Montrose, especially after the battle of Kilsyth, and is placed in jeopardy thereby, but General David Leslie comes to his rescue (pp. 202, 203). An interesting letter from an unknown English writer in reference to the King's transference from the Scots army at Newcastle to that of the English Parliament, in which he gives his opinion about Cromwell's soldiers, and his anticipations of good things to come from the trust the King was now reposing in them will be found at p. 204. But the sequel proved that what the Earl of Mar had written to that writer's disrelish was but too true: "His Majestie hes leapt out of the frying pan into the fyre; left ill cumpany to adhere to worse."

On the death of King Charles the First the interest of the Scots centred in the recall of his son, Charles the Second, as at least *their* king. He is at St. Malo's waiting to hear news from Ireland, and some are of opinion that he will come here, writes Mr. William Colville, one of the ministers of Edinburgh, who had been deposed for his adherence to the "unlawful Engagement" (p. 205). King Charles the Second did come to Scotland, and doubtless Mar gave his willing obedience to the orders he received to raise his men for his Majesty's support (p. 206).

During the period of the Commonwealth there are no papers, and after the Restoration until the Revolution, as stated, they are but scant. In 1675 there is an order for the imprisonment of Sir Patrick Home of Polwarth and Robert Ker of Kersland in Stirling Castle, and also an order for the liberation of the former about five months later (p. 207). Other prisoners there

come also from the ranks of the Covenanters, and there is a letter of thanks from the King to the Lords of Justiciary for their proceedings against Mr. James Mitchell for his alleged attempt to kill Archbishop Sharp (p. 211). Some of the papers about this period are interesting from a military point of view, being illustrative of army drill and discipline in several aspects (pp. 209-217 *passim*). One is a report upon the exporting of coal to Flanders, etc. (p. 213); another (p. 214) deals with the subject of the Mint, being his Majesty's final decision upon a case in which the Earl of Lauderdale was a defaulting party, but which bore most severely upon Sir John Falconer of Balmakellie, Lauderdale's subordinate in the Mint, who was driven thereby to commit suicide. On p. 214 there is a memorial in which the Earl of Mar, in his anxiety to retain the keeping of the Castle of Stirling, relates the services of his ancestors to the Crown; and a letter from General Dalyell to the Earl speaks of the torturing of William Spence, secretary to the Earl of Argyll, and indicates the disgust of that soldier at some of the work he was then engaged in (p. 216). Argyll's expedition itself is referred to at p. 216, where orders are given to the Earl, who was then at Paisley, to prevent Argyll's landing in the Clyde.

The accession of King James the Seventh is marked by some papers relative to the enlargement given to Papists for the exercise of their religion, and it was probably owing to his aversion to some of this King's measures that the Earl of Mar felt it necessary to send a letter to the King affirming his thorough loyalty (p. 219). The papers which follow shew the King at variance with his Scottish Council, and the Earl of Mar under orders for special military service, with the assembling of some of his Highlanders about Stirling (p. 220). But the scene changes; the Revolution has been effected; Mar receives an invitation from the Prince of Orange to attend the meeting of the Estates at Edinburgh which is to declare that Prince King of Scotland; the governorship of the Castle of Stirling is continued to Mar with the Earl of Perth thrown therein as a prisoner, and Mar himself is one of the first sufferers from the Revolution. He is found bewailing the burning of several of his houses in the North by the Highlanders, who took this means to prevent them from being employed for garrisons against themselves (p. 222).

The largest portion of the report (pp. 222-520) deals with the correspondence of John, sixth Earl of Mar, who, as already mentioned, played so important a part in carrying through the Treaty of Union, during the actual passing of which and for some years afterwards, he was one of the Secretaries of State for Scotland. But latterly he changed his opinion about the Union, and when he could not get it dissolved, headed the unsuccessful Jacobite insurrection of 1715 for the restoration of the Stuarts. Yet during the whole of Queen Anne's reign there was no suspicion of Jacobitism about this Earl. To her Majesty he was a most loyal and devoted servant. The letters by and to him commence in the closing years of King William the Third, and with the exception of several addressed to him by his brother Henry, and the Viscount Dalrymple and others from some camps of the British troop engaged in the wars on the Continent (pp. 224-226, 263, 295, 464-469) giving details of several battles and military movements, the whole are concerned with the Parliamentary and official history of Scotland, at least up to 1715. They yield a minute and often graphic narrative of the proceedings connected with the Union of the kingdoms.

For various reasons, of which one was to counteract the Jacobite tendencies in Scotland, King William the Third resolved to effect the union of Scotland and England. He died before it could be accomplished, but the measure was taken up and carried through by his successor, Queen Anne. At the opening of her reign there were in the Scottish Parliament three parties, (1) the Court party under the leadership of the Duke of Queensberry; (2) the Jacobites, led by the Duke of Hamilton, who constituted the opposition; and (3) a neutral party who called themselves the Squadron Volante or Flying Squadron, and refused to attach themselves to either of the other two, but kept free to act with either party as they judged the interests of the country required. The chief of the Squadron was John, Marquis of Tweeddale, and he was supported by the Dukes of Montrose and Roxburgh, the Earls of Haddington and Rothes, and the famous Mr. Fletcher, of Salton. The Earl of Mar had attached himself to the Court party, and he promoted their measures.

The Union was the "grand affair" of the time, and references to it fill the Earl of Mar's letters from 1703 onwards.

In January of that year he writes that it succeeds pretty well, though slowly. The decisive struggle in Scotland as to whether or not the Union should take place began with the meeting of Parliament at Edinburgh on 28th June, 1705, but coupled with this question was that of the succession to the Crown, which had first to be secured. Mar himself had prepared and introduced a Uniting Act, and with but slight alteration this was the Act which Parliament adopted (p. 235). The Queen acknowledged this service by appointing him one of her Secretaries of State for Scotland in place of the Marquis of Annandale, the Earl of Loudon being conjoined with him in this office (pp. 235-237). Mar was also a commissioner on the Scottish side for settling with those of England the Articles of Union. In consequence of his official position the earl had to reside at London, and he made his younger brother, Mr. James Erskine, his chief Scottish correspondent and factor. This brother was trained to the law, and was raised to the Bench by the title of Lord Grange. He became later Lord Justice Clerk. Many of the letters in this part of the report are to and from him.

Parliament having consented to the Union, commissioners were chosen for formulating the treaty itself. The choice was made by the Queen, with the aid of her English Prime Minister, the Earl of Godolphin, and the Dukes of Queensberry and Argyll. But so fair was the selection that each of the three parties in the Scottish Parliament was represented.

The negotiations were carried through at Westminster Palace, the Commissioners for Scotland meeting in one room by themselves, and the Commissioners for England in another. They only met jointly on one or two occasions to receive her Majesty, and matters of debate were communicated in writing to the respective presidents, or dealt with by committees chosen for the purpose. The Treaty was finally adjusted and signed by the Commissioners on 22nd July, 1706, when they went unitedly in procession to her Majesty and presented it (p. 271). The event was made the occasion of national rejoicing in England, and her Majesty further acknowledged the services of the Earl of Mar and his colleague in the Secretaryship, the Earl of Loudon, by conferring upon them the "green ribbon" (p. 272), or in other words creating them Knights of the Thistle.

But the Treaty of Union had still its way to fight in Scotland, and it was only after a prolonged and keen conflict in the Scottish Parliament, lasting from October, 1706, until February, 1707, that the measure was carried, and the Union accomplished. All the varied forms of the opposition made to the passing of the Treaty are vividly set forth in the Earl of Mar's letters to Sir David Nairne, the under-Secretary of State for Scotland at London, through whom her Majesty and the English Ministers were kept posted up in the progress of events at Edinburgh. The Earl was sent down from London with, as it were, the measure in his special charge, and certainly no one took a keener part in securing its success. Efforts were made to win over the Squadron to support it (p. 280), but the Jacobite party and the Church and the populace had specially to be reckoned with.

The Duke of Hamilton led the opposition in Parliament, and was on this account the popular favourite. The people waited for his coming out of the Parliament House, and convoyed him to his house with acclamations, while the Court party had frequently to run the gauntlet of a hostile mob armed with stones and staves. For their safety the latter were obliged to ask that troops should be provided and held in readiness, and these were actually sent to the Borders, though their intervention was not required. Within the House the progress of the bill was keenly contested. Often debate ran very high and continued until candles had to be brought in; but in the gloom the confusion became so great that little could then be effected.

The Church was a more uncertain factor. Many of the ministers feared that the Union with England would gradually but surely destroy Presbyterianism, and once more undo the work of the Reformation and what had been recovered at the Revolution. In the Commission of Assembly an act was almost passed for the appointment of a National Fast Day, "for asking God's direction in the great affair," but the Court party judged this inadvisable. However, to satisfy the Church's fears and scruples an Act of Security was passed, in terms of which the constitution of the Church was secured by the Treaty of Union to remain unalterably Presbyterian (p. 339). The sequel to this was a similar provision in the case of the Church of England; and the more strict ministers of the Church of Scotland and many of the people, saw that this could not be

agreed to without the nullifying of the terms of the Solemn League and Covenant made with England in 1643. Their opposition was very considerable, but as there was no feasible way of taking off their objection the Court party ridiculed them as fanatics. There was even a report that these objectors and the Jacobites had drawn together and that King James had turned Protestant, and was ready not only to establish Presbytery but even to swear the Solemn League and Covenant (pp. 341, 345). Fears were strongly entertained that there would be armed risings, and there was actually an attempt to rouse the people of the West to march upon Edinburgh. A party set out from Glasgow, and went by way of Kilsyth and Hamilton towards Lanark, but it proved unsuccessful, and the rumour that troops were in pursuit caused it to disappear before it reached Lanark (pp. 338, 345, 350). Besides the riots in Edinburgh there were tumults in Glasgow (p. 325), also at Stirling and Dumfries, where the Articles of Union were publicly burned at the Cross (pp. 340, 347), and at some other places. Another form of the opposition was by addresses to Parliament from many parts of the country against the Union (p. 363), but the issue lay with the Parliament and in the end the Articles of the Treaty were carried through. The news was transmitted to London, the consent of the English Parliament readily obtained, and on 6th March, amid salvos of artillery from the Tower and the firing of guns in the Park, Queen Anne adhibited her signature to the Act, by which, from the first of May following, the two kingdoms of Scotland and England were to merge in one Great Britain (p. 383). One can hardly but notice the coincidence that with the expiry of Scottish independence the Earl of Mar received at London the intimation of his wife's death, and was thus sent into mourning and temporary retirement at the very moment when he might most have rejoiced in the success of his labours.

There was still much to be done in the harmonising of the relations, fiscal and otherwise, between the two kingdoms, and the suppression and removal of the opposition to the Union in Scotland, which even now, after its consummation, seemed as if it would strengthen, and, instead of extinguishing, fan the flame of Jacobitism. The task was no easy one and misunderstandings became frequent. But the tenor of these will be seen from the Report. One point, however, may be

specially noticed, that of the Equivalent. Mr. Mackinnon, in his recent history of the Union, has ably shewn both the unreality and the absurdity of the charge often brought against the Scottish nobility that they were corrupted by English money, and, in fact, sold the independence of their country for gold. Had there been the least trace of such a thing it could not but have been remarked in the confidential letters of the time. We are to be "on the uses for which the Equivalent is to be applied," writes Mar, (p. 364). "Severals of us have been talking of this. We think there is a necessity of preferring the loss of the coin in the first place, then the African Company and then the debts." In the following letter he mentions that this has been given effect to in one of the clauses of the Treaty. Preference is given to the reparation of the coin, then to the African Company, and then to the debts of the nation. And there was to be added to this (p. 367) a payment to the commissioners engaged upon the Treaty towards their expenses.

After the Union the Earl continued in his office of Secretary of State, and had to deal with the Jacobite invasion of 1708, in consequence of which seizure was made of a number of prominent Jacobites in Scotland, some of whom were sent in custody to London. He ceased to be Secretary in February, 1709, but obtained a pension of £3,000 from the Queen, which was to continue during her life (p. 480). The Duke of Queensberry then got the appointment and held it till his death in July, 1711. The succession to the office was keenly contested between Mar and the Duke of Hamilton, but through the influence of the Earl of Oxford the former obtained it. By this time so much friction had arisen between the two nations over the difficulties experienced in harmonising their relations that proposals were seriously brought forward in the British Parliament for its dissolution and a return to the *statum quo ante*, and even Mar seems to have come to believe that after all the Union may have been a mistake. With the death of Queen Anne and the overthrow of the Tory party in England, Mar was removed from his office. Up to the last moment of his being in power he was firm to the Hanoverian interest; he used all his efforts to preserve the peace in Scotland, especially in the Highlands, and when King George the First arrived in England he waited upon him to proffer his allegiance. But the King refused to see him and sent word that he had no

further need for his services. His office of Secretary was then given to the Duke of Montrose.

Seeing his associates impeached in England for treason, and finding that by the King's orders Stirling Castle was to be taken out of his hands (No. 867), Mar began to fear that his life was in danger; and evidently stung with indignation at such treatment after his long and faithful services to the country, he took the rash and regretable step of joining the cause of the Pretender and raising the standard of rebellion in Scotland. There seems to be little doubt that the step was taken in a hasty spirit of resentment, though possibly from the still unsatisfactory results of the Union, he may have entertained the belief that his former policy in the matter of the Union had been a mistake, and that revolution was now the only way of undoing that. It was, however, too good an opportunity for the Jacobites to miss; Mar was flattered by them, and placed by commission from the Chevalier in the chief command in Scotland. Interest centres for the moment in his camp at Perth. There he received letters from the Chevalier, in one of which the honor of a Dukedom is conferred upon him. But by this time the battle of Sheriffmuir had been fought; the invasion of England had ended in disaster at Preston in Lancashire, and it fell to Mar's lot to intimate the tidings to the Chevalier, who was now supposed to be off the coast of Scotland. Mar managed to retain a number of his troops, and to hold his opponents at bay until James landed at Peterhead, but the failure of the promised support from France forced James to return, and Mar went with him and was in his service for some years. There will be found in the Report several letters from the Chevalier and from his wife, the Princess Clementina, to the Duchess of Mar. The earl, of course, lost his estates, and was never again permitted to return to Scotland, but died at Aix-de-Chapelle, in May, 1732. Some time before his death he quite broke with the Stewarts, and strove long and earnestly to make his peace with the House of Hanover, but without avail.

The remainder of the report is chiefly composed of the correspondence of the Earl's brother, Lord Grange, who, to save the family estates, purchased them back from the Forfeited Estates Commissioners for the benefit of his nephew, the Earl's son. But the latter died childless, and the estates

passed to the Earl's daughter, who married her cousin, James Erskine, son of Lord Grange, ancestor of the present Earl of Mar and Kellie, and to their son in 1824 King George the Fourth restored the title.

Lord Grange was both an able judge and a wise politician. As already stated, he was for some time Lord Justice Clerk of Scotland, and later in life was member of Parliament for Stirlingshire. He was held in much repute by the clergy of Scotland for his piety and his attachment to the Presbyterian cause. He had a large number of correspondents, and selections will be found in the Report of letters from the pen of Mr. Gabriel Wilson, minister of Maxton; Mr. John Wylie, minister at Clackmannan; Mr. Andrew Darling, minister at Kinnoul, and Mr. Ebenezer Erskine, one of the founders of the Secession Church, who not only writes upon a point of antiquity, but sends to Lord Grange immediately after the Secession a note of the progress of their young presbytery, and also a copy of the indictment laid against him evidently by the presbytery of Stirling. Among his correspondents from the ranks of statesmen are the Duke of Argyll, William Pulteney, afterwards Earl of Bath; the Earl of Stair, Marshall Keith, and there are several epistles from Simon, Lord Lovat, couched in his usual attractive style, but certainly not in a tone which would make one suppose that he had Lord Grange in any respect in his power.

Among miscellaneous papers and letters may be noted a memorandum concerning the place in which the public Scottish records were preserved, or rather, as is suggested, destroyed in 1723, a somewhat amusing cipher, a satirical poem, which may be that which the Earl of Mar sent to his lady, mentioned p. 228; and a narrative about St. Fillan's, in Perthshire, and some superstitious customs associated therewith.

This Report has been prepared by the Rev. Henry Paton, M.A., Edinburgh, who also prepared the Report on the Manuscripts of the late Colonel Milne Home of Wedderburn.

THE MANUSCRIPTS

OF THE

EARL OF MAR AND KELLIE,

PRESERVED AT

ALLOA HOUSE, CLACKMANNANSHIRE.

I. Charters.

An old Rental of the Lands of Mar and Garioch to which is prefixed the following Notes of Ancient Charters in Latin, but here translated:—

1356.—Thomas, Earl of Mar, gave to Andrew Garywyache all and whole the lands of Kynstare and Edindowy; *witnesses:* Thomas Stewart, Earl of Angus, Chamberlain of Scotland; William of Keth, Marischal of Scotland; Sir Walter Moygne, John Strauchin and Laurence Gillibrande, knights; Master Gilbert Armestrange, Sir John of Mare, John Pratte, William of Leth, burgess of Aberdeen; and James Montealto, with many others.

1356.—William de Montealto, knight, lord of Ferne, granted to his brother, Bernard de Montealto, and his heirs, all and whole his lands of Estir Foullis in the earldom of Mar and shire of Aberdeen; *witnesses:* Thomas Stewart, Earl of Angus; William of Keth, Marischal of Scotland; Master Gilbert Armestrange and Sir John of Mar, canons of the church of Aberdeen; Sir Laurence Gillibrande, knight; Andrew of Garwiache, and others.

1354, April 6.—Thomas, Earl of Mar, gave in perpetual foundation to the priory and canons of Monymusk, a yearly pension of five marks out of the lands of Wester Foullis; *witnesses:* the discreet men, Sir Laurence Giliebrande, knight; Master Gilbert Airmstrange, canon of Aberdeen and Moray; Sir John of Tassenie, rector of the parish church of Kinduny, of the diocese of Aberdeen, with others.

Donald, Earl of Mar, gave and granted to John of Garwyache, in feufarm, all and whole his lands of Wester Foulis; *witnesses:* Gartney and Duncan, his sons; Sir Adam Cant, vicar of Mygvecht; Roger . . . ; Sir Thomas Cant, vicar of Afferd; Andrew . . . ; William of Cowtis; Henry of Petcarne; and Duncan . . . , with several others. [*Undated.*]

Wt. 8972.

Thomas, Earl of Mar, gave and granted to John Cambroun with his cousin in free marriage, all and whole his lands of Barkis and Wester Drummalachie, also with Strathdun, lying in the shire of Aberdeen, in feufarm; *witnesses:* Alexander, bishop of Aberdeen; William of Keith, Marischal of Scotland; "our dearest brother" Thomas of Balliol; Sir Andrew Cant, prior of Monymusk, with many others. [*Undated.*]

Thomas, Earl of Mar, gave to Adam Strauchen and Margaret his wife, his kinswoman, all and whole his lands of Glenkundie and a quarter davach of Glenkaye, for homage and service to be rendered by the said Adam and the heirs procreated or to be procreated between him and the said Margaret; *witnesses:* Sir Hugh Cambroun, his kinsman; Thomas Lix and Walter Maygne, knights; and William of Meldrum, sheriff of Aberdeen, with many others. [*Undated.*]

1359, September 15th.—Thomas, Earl of Mar, gave to William Fentoun of that Ilk, his whole land of Nether Tully and Over Tollie and Culquorks, with the pertinents in Strathdone, in the earldom of Mar; *witnesses:* William, bishop of St. Andrews; Alexander, bishop of Aberdeen; Patrick, bishop of Brechin; and William, Earl of Douglas, with many others.

1356, June 20.—Thomas, Earl of Mar, gave to William de Camera all and whole his lands of Estir Ruthwan, for service and homage to be given; *witnesses:* Thomas Stewart, Earl of Angus, Chamberlain of Scotland; William of Keth, Marischal of Scotland; Sir Walter [Moygne] and Sir Laurence Gillibrande, with many others.

1358.—Thomas, Earl of Mar, gave to his loved John Crabe, burgess of Aberdeen, and his son John Crabe, all and whole his lands of Quilts and Pettis; *witnesses:* Alexander, bishop of Aberdeen; Thomas . . . and Laurence, with many others.

Robert, King of Scots, confirmed the above charter; *witnesses:* William, bishop of St. Andrews; Patrick, bishop of Brechin; Patrik, Earl of M . . . , and several others. [*Undated.*]

Thomas, Earl of Mar, lord of Caveris and Garwiach, and Chamberlain of Scotland, gave to Duncan, son of Roger, all and whole his lands of Abergeldy, Balcadlach, Bochwaglach, Tuliquhbr, and Tuliocre, with the pertinents lying in the shire of Aberdeen, for service done and to be done by the said Duncan and his heirs; *witnesses:* Alexander, bishop of Aberdeen; William of Kethe, Marischal of Scotland; Sir John of Crabdele, doctor of decreets and canon of Ross; Sir Walter Moygne, and Laurence Gilibrande, with several others. [*Undated.*]

1346, August 26. Christian de Bruce, lady of the regality of Garwiache, gave to Patrick Abernethie and his heirs all and whole her lands of Burty with pertinents, for service done and to be done; *witnesses:* William, bishop of Aberdeen; William, Earl of Sutherland; Sir Philip of Meldrum, William of Abernethie, Alexander of Lesslie and Andrew of Butirgaske, with several others.

Earl David, brother of the King of Scotland, gave to David de Andree and his heirs a davach of land of Ressuchet, with the pertinents, for service rendered by him; *witnesses:* Sir Robert Bisset, knight; Sir William, chaplain of the King; Sir Bartholomew Meygne, knight, and others. [*Undated.*]

1358, July 9.—Thomas, Earl of Mar, Lord of Cavers and Chamberlain of Scotland, approves, ratifies and confirms to Alexander Abernethy and his heirs two davachs of the lands of Petmalchy and Herchill with pertinents; *witnesses:* Alexander, bishop of Aberdeen; William, abbot of Lindores; Sir Walter de Coutre, dean of Aberdeen; Sir John Crombdele, rector of Turrech; William of Keth, Marischal of Scotland; Sir Walter Moygne and Sir John Strauchen, knights; Sir John of Forbes, and others.

1287, 8th day of the Assumption of the Holy Virgin Mary. Andrew of Garviauche, knight, gave to his brother, John Garviauche, and his heirs all and whole his lands of Jonstoun with the pertinents; *witnesses:* Sir Reginald de Chene, the father; Sir Reginald de Chene, the son; John de Malautt, Norman de Lesslie, knights, and many others.

John, Earl of Houledone [? Huntingdon], gave to Norman, son of Malcolm, and his heirs, the lands of Lesselyne, Auchtnegort and Mawe with the pertinents; *witnesses:* John, abbot of Lundoris; Henry of Brechin and Henry of Strevelyne, "my brothers," and others. [*Undated.*]

1359.—Thomas, Earl of Mar, lord of the regality of Garwiauche, gave to William of Lethe, burgess of Aberdeen, and his heirs, the lands of Ruthenache, Delharboggis and Delblakboggis with the pertinents; *witnesses*: Alexander, bishop of Aberdeen; Sir John of Crombdale, canon of Ross; Sir John of Mar, canon of Aberdeen, with others. [*Undated.*]

David, brother of the King of Scotland, gave to Simon of Billighin and his heirs a carucate of land in the territory of Durnachehell Lethim and a toft in his burgh of Innerowry; *witnesses:* William of Lindsey, Hugh Gyffart, Mr. Laurence of Peramsol (sic), with several others. [*Undated.*]

David, brother of the King of Scotland, gave to Robert of Billighin and his heirs a carucate of the territory of Durnachehell and a toft in his burgh of Innerowry; *witnesses:* Robert and William, son of Stephen; Norman, son of Malcolm, with several others. [*Undated.*]

Robert, King of Scots, gave to Stephen, son of . . . the lands of Easter and Wester Kinblew with the pertinents, lying in the shire of Aberdeen; *witnesses:* Bernard, lord of Arbrocht, chancellor; Thomas Randolphe, Earl of Moray; and Gilbert, Lord de Hay, constable, with several others. [*Undated.*]

1293, September 29.—Friar Laurence, of the friars minors of the Holy Trinity and captives of Aberdeen, and the brethren of the said order gave and granted to John of Garwiach, Lord of

Kaskybenne, and his heirs, in feufarm, all and whole his lands of Cragbowy in Garwiach; *witnesses:* Henry, bishop of Aberdeen, Sir Reginald le Chene, Norman of Lesslie, and others.

William, lord of Crust (sic), alienated and sold to Alexander of Abercrombie and his heirs a third part of the lands and tenement of Knoklauchly with the pertinents; and Thomas, Earl of Mar, confirms the same; *witnesses:* Sir John of Graunt, knight, John Forbes of that Ilk, and John Prate, with several others. [*Undated.*]

1371, July 10.—Thomas of Mar renounces in favor of Helen of Garwiache all right and claim he has to the lands of Knokinbarde by reason of ward.

Robert, King of Scotland, gave to John, son of Adam Brwning, and his heirs, the lands of Gumdristoun with the pertinents; *witnesses:* William, bishop of St. Andrews; William, bishop of Dunkeld; Bernard, abbot of Arbroath, and others. [*Undated.*]

Thomas, Earl of Mar, Lord of Cavers, and Chamberlain of Scotland, approves, ratifies and confirms to Alexander Abercrombie and his heirs the half part of the lands of Ardowyne and half of the mill thereof sold by Patrick Hair; *witnesses:* Sir John Gariauche, knight; . . . Forbes; John Prate, John Buthergask and others. [*Undated.*]

Earl David, brother of the King of Scots, gave and granted to . . . . Bommill and his heirs the lands of Ardowin; *witnesses:* Henry, son of the granter; Robert of Adles; William . . . . ; and many others. [*Undated.*]

1369, June 15. Thomas, Earl of Mar, lord of the regality of Garwiauch, gave to William of Keht all and whole the lands of Drumrossy; *witnesses:* Alexander, bishop of Aberdeen; Sir William of Keth, Marishal of Scotland; and Sir William of Meldrum, with many others.

Donald, Earl of Mar, gave to Norman of Lesslie, his kinsman, and his heirs, the half davach of the lands of Achmorly and half of the lands of Dromyne and Garwiache, with his lands called Newlandis; *witnesses:* William, Archbishop of St. Andrew's; Sir Andrew of Ruthwen, abbot of Coupar; and Sir William of Gourlay, with many others. [*Undated.*]

David, brother of the King of Scotland, gave to Malcolm, son of Beroof, and his heirs, his whole lands of Lesslie as they were marched in presence of *Andrew* [? Adam] bishop of Aberdeen, and the lands of Atchingort, with Macher, and their pertinents; *witnesses: Andrew*, bishop of Aberdeen; Malcolm, son of the Earl of Angus; and Robert of Korwit, with others. [*Undated.*] [A note on the margin states that Adam, bishop of Aberdeen, became bishop in 1206, and died in 1227; and the words Andrew are underlined in the text.]

1341,—. . . 11th. Wuffredus de Meditoun resigned all right and claim which he had to the lands of Owin, with their pertinents, in favour of his son John; *witnesses:* Sir Philip of Meldrum; Andrew of . . . , knights; and John Bonar, with many others.

Reginald Croft, son and heir of the deceased William of . . . Lachty, sold to William of Lesslie, son of the deceased Norman, the third part of his lands of Knocklachey. [*Undated.*]

William, Earl of Douglas and Mar, sold to Alexander . . . , his squire, the ward and marriage of the heirs of the deceased . . . Byris, with the lands of Ardowy and Harlaw in Garwiache, pertaining to them. [*Undated.*]

1340, in the feast of John the Baptist. Duncan, Earl of Fife, gave to Edward of Drumketht and his heirs, in exchange for his lands of Drumketht, the lands of Tulialt, with pertinents; *witnesses:* Hugh, bishop of Aberdeen; Reginald of Schene, and William of Meldrum, with many others.

Alan [Durward], usher to the King, gave to his grandson the lands of . . . . and Orchwell, with the pertinents; *witnesses*: Walter, son of Alan, Justiciar of Scotland; William Prate, vicar of Aberdeen, and others. [*Undated.*]

James of Garwiache, lord of Kaskybenne, gave to God and St. Mary of Monimuiske and the canons there for the service of God, his half davach of the lands of Clokhok, with the pertinents; *witnesses:* Henry, bishop of Aberdeen; Patrick of Abirnethy, and John Brounynge, knights, and others. [*Undated.*]

George, Earl of Mar, gave to God and to the canons of Monimuiske, the church of Lohyhet; *witnesses:* Malcolm and John, his sons, and his two brothers, with many others. [*Undated.*]

George, Earl of Mar, gave to God and to the blessed Mary of Monimuiske, and the culdees or canons there serving, Octorlacellouss and the kirklands; *witnesses:* Fergus, Earl of Buchan; David, son of the Earl of Thon (*sic*): and Robert, dean of Aberdeen, with several others. [*Undated.*]

Earl David, brother of the King of Scotland, gave to God and to the church of St. Thomas of Arbroath and the monks there serving God, a carucate of measured and arable land in Kynalch, with pasturage; *witnesses:* William, king of Scotland, his brother; Hugh, his son; and Robert, chaplain. [*Undated.*]

William. King of Scots, confirms the gift by Earl David, his brother, made to God and St. Thomas of Arbroath. *witnesses:* Henry, abbot of Kow; William de Bosco, Sir Philip de Walowe, canon, and John Maxuell. [*Undated.*]

John, Earl of Huntingtoune, gave to God and St. Thomas and the monks of Arbroath that carucate of land which formerly Earl David, his father, gave to them; *witnesses:* Sir John, abbot of Lindoris; Sir Gillfryd de Craufurde. [*Undated.*]

Thomas Randolphe, Earl of Moray, gave to Sir James of Garwiache, and his heirs, the lands of Belerdie, Balnecrag, Cleychok and Tollachsyd, with their pertinents; *witnesses:* Henry, bishop of Aberdeen; Sir Alexander Fraser, and Robert Lawder, knight, with several others. [*Undated.*]

Margaret of Ressuneth, daughter and one of the heirs of the deceased John of Ressuneth, sold and thenceforth alienated to her kinsman, Henry of Wardlaw, son and heir of Henry of Wardlaw, her whole part of heritage rightfully falling to her; *witnesses:* Alexander, bishop of Aberdeen; Robert, abbot of Deir; and Philip of Dumbrek, with many others. [*Undated.*]

1366, May 12.—Thomas, Earl of Mar, confirms and approves the sale made by Margaret of Ressuneth to Henry of Wardlaw of the foresaid lands.

1323.—Christian de Bruce gave to William de Makhaun and Katherine, his spouse, daughter of William de Fiwy, the office of forester of Garwiache.

Thomas de Meygnes gave to John, son of Patrick, and his heirs, his whole lands of Owin in Garwiache, with the pertinents; *witnesses:* Sir Alexander of Fraser, and Sir James, his brother, knights, and William of Prendergest, with others. [*Undated.*]

1345, May 20.—Charter by John de Pot, son and heir of Robert Pot, sometime burgess of Dundee, to Alan de Balmossy, burgess thereof, of his eight particates of land, burgage and arable, in Dundee, between the lands of the convent of Lindores on the west, and those of Balmerino and William de Strabrok on the east, which Alice de Pot, his betrothed (*mea aducta*) sold, and by charter confirmed to him and his heirs and assignees; *witnesses:* Uridini Carnifex, Robert Scot, and William Keith, bailies of Dundee.

1357, August 23.—Bruges in Flanders. Charter by Thomas, Earl of Mar, whereby he acknowledges receipt of 1,000 *scuta* of Flanders from John de Tory, brother of William de Tory, younger, burgess of Aberdeen, for which he renounces all right which he or his heirs have in the barony of Foverne in Buchan, through the sale of the said barony to him by the deceased William of Strabrock, lord thereof, and he restores the same to the heir of the said William of Strabrock, viz., his granddaughter (*nepti*) Marie, called de Scona, daughter of the deceased Patrick de Scona, burgess of Aberdeen, and wife of the said William de Tory, younger. [The charter is a beautiful piece of penmanship].

1387, December 30.—Charter by Thomas de Erskyne, Lord of that Ilk, liferenter and warden of all lands, annual rents and possessions of St. John of Jerusalem, whereby he confirms a Letter of Wadset by Donald de Porca to Gilchrist de Kannan, of the hospital of Camerone and the hospital of Stokrogis for four marks lent to him in his urgent necessity, which he promises to repay one day within the town of Dunbretane. If the said Donald should happen to die without lawful heirs of his body he agrees that the said Gilchrist and his heirs shall enjoy the hospitals in perpetuity without reclamation by him or his heirs, he paying annually one penny to them at Martinmas in name of blench holding. The Letter is not dated, but the confirmation is dated at Auleway. [*Latin on parchment*].

1398, October 29.—Bond of relief by King Robert the Third under his privy seal in favour of Thomas of Erskyne, knight, John of Montgomery, John Sympill, James Stewart of Kylbryde, Humphrey of Culquwne, Malcolm of Galbrathe, John of Park, and James of Spot, promising to keep them scatheless in respect of their becoming cautioners for him in the agreement between him and Mr. Walter of Danyelstoun respecting the delivery of the king's castle of Dumbarton, and of his other goods, and his nephew (or grandson) Patrick of Danyelstoun. Dated at Dunbrettan. [*Latin, on parchment, with small part of seal remaining on tag*].

1404, December 10.—Perth. King Robert the Third grants to his dearest son and heir, James, Steward of Scotland, all the lands of the stewartry of Scotland, viz., the baronies of Renfrew, Cunningham, and Kyle-Stewart in Ayrshire; Ratho and Innerwick in Edinburgshire; the islands of Bute, Arran, and the Cumbrays; the lands of Cowall and Knapdale; and the whole earldom of Carrick and lands of Kyle-Regis in Ayrshire, in free regality; *witnesses:* Henry, bishop of St. Andrew's; Gilbert, bishop of Aberdeen, Chancellor of Scotland; Robert, Duke of Albany, Earl of Fife and Menteith, the king's brother german; David Lindsay, Earl of Crawford; Henry de St. Clair, Earl of Orkney; David Fleming of Biggar, knight, and John Stewart, the king's natural brother. [*Copy.*] There is appended a rental of these lands, which appears to have been prepared while King Charles I. was Prince and Steward of Scotland, 1617—1625.

1435, November 17.—Stirling. Indenture between Sir Robert Erskine, Lord of that Ilk, and Sir Thomas Erskine, his son, on the one part, and Sir Alexander of Forbes, knight, Lord of that Ilk, on the other, whereby Sir Alexander promises to assist the Erskines towards all their rights of the earldom of Mar and Garioch, and they promise to give to him the lordship of Achindore, with the patronage of the kirk, the Buck and the Cabrach, with the Haldawach, in free forest. It is also agreed that he shall receive the lands of Muckwell, and lands in the parish of Alford, and that confirmation shall be given to Sir William of Forbes of all his lands, for which he shall be man to the Erskines. [*Copy.*]

1474, May 12.—Edinburgh. Dispensation by Patrick, Archbishop of St. Andrew's and legate *a latere*, for the marriage of William de Menteith, of the diocese of Dunblane, and Euphemia Grahame, of the diocese of St. Andrew's, who are related in the fourth and fourth degrees of consanguinity. Dated in the third year of Pope Sixtus IV., and the tenth year of his own consecration.

1487, August 22.—Stirling. Bond of manrent by William of Stirling of the Keyr to Thomas, Lord Erskine, and Alexander Erskine, his son and apparent heir; *witnesses*: Henry, abbot of Cambuskenneth, William Menteyth of West Kerse, Robert Douglas of Lochleven, Alexander Cunyngham of Polmaise, David Bruce of Clackmannan, and Thomas Galbraith of Culcreuch.

[1489-90], March 9.—Edinburgh. Precept under the Privy Seal to the Sheriff of Stirling for warning the barons and freeholders within his jurisdiction to meet in the burgh of Stirling and make choice of twenty-four persons for making a stent roll of all the lands in the sheriffdom, and thereafter to take up a tax of two shillings from every poundland of old extent before the expiry of the present month of March, for assisting to defray the expense of an honourable embassy which the Estates of the Realm at the last Parliament had resolved to send to the parts beyond sea to secure the "common honour and intreating of the merchandis of our realm." Dated on 9th March in the second year of the King's reign. (Signed) JAMES R. [*Copy*].

1512, April 12.—Bull by Pope Julius the Second reserving and assigning a yearly pension of £100 Scots from the lands and churches of the Monastery of Culross to Mr. Thomas Nudre, archdeacon of the Church of Moray.

1518, June 25.—Edinburgh. Contract of marriage between John Murray of Touchadam and Catherine, daughter of John Lord Erskine. It is agreed between John, Lord Erskine, on the one part, and Agnes Cockburn, widow of William Murray of Touchadam and mother and tutrix of John of Murray, son and heir of the said deceased William, on the other part, that her son John shall marry Catherine Erskine, daughter of the said Lord Erskine, and failing her, her sister Margaret. She promises to infeft them in £40 worth of the barony of Touchadam, and Lord Erskine promises to give 650 merks of tocher with his daughter; *witnesses*: George, abbot of Holyrood House; Patrick Crichton of Cranston Riddell, his brother; Mr. Alexander Erskyne, parson of Monyabroch; Sir James Forrester, knight, son and apparent heir of Sir Walter Forrester of Torwood, knight; James Cunningham of Polmaise, James Leirmonth, Walter Foullar, and others. [*Copy*—On the deed it is noted that Margaret Erskine, the sister of Catherine, Lady Touchadam, married George Home of Lowndies, who received with her a tocher of 400 merks, this

being attested by a document dated 24th August, 1528. But on the back of this copy there is the note that John Murray of Touchadam did not marry either of these two, but Janet. See Contract of 1st September, 1532].

1518, December 14.—Alloa. Contract of marriage between James Haldane of Glenegis and Margaret Erskine. It is contracted between John, Lord Erskine, and Elizabeth, Lady Erskine, his mother, on the one part, and James Haldane of Glenegas, with consent of his principal friends, viz. William Earl of Montrose, Sir William Murray of Tullibardine, Sir Andrew Murray of Balvaird, Mr. David Setoun, parson of Fettercairn, William Haldane, burgess of Perth, and George Haldane of Kippane, his tutors, on the other part, that James Haldane shall marry Margaret Erskine, sister german of the said Lord Erskine. Lord and Lady Erskine are to pay to him 1000 merks, which is to be employed in the redemption of his land, except 100 merks to be spent on repairing the house of Barcheis, and he is to infeft his future spouse and the children of their marriage therein. Until this is done Lord and Lady Erskine are to retain a reversion to his lands, and if at his coming of age he do not solemnise this marriage, the lands are to remain with them until he repay the 1000 merks. The young couple being related in the fourth degree, Lord and Lady Erskine are to obtain the necessary papal dispensation. The parties' seals are affixed, and among the witnesses are Sir Walter Forrester of the Torwood, Sir James Forrester, his son and heir apparent, and Mr. Alexander Erskine, parson of Monyabrocht.

1532, September 1.—Stirling. Contract of marriage of John Murray of Touchadam and Janet Erskine. It is agreed between John, Lord Erskine, on the one part, and John Murray, son and heir of the deceased William Murray of Touchadam, with consent of Dame Agnes Cockburn, his mother and curatrix, and of Sir James Forrester of Garden, now her spouse, on the other part, that the said John of Murray shall marry Janet Erskine, daughter of the said Lord Erskine, who is to give with her a tocher of 650 merks. Among the witnesses is Mr. Alexander Erskine, subdean of Dunkeld. [*Copy*].

1555, January 10th—17 July, 1556.—Bulls and relative documents, twelve in number, by Pope Paul the Fourth and others, relative to the appointment of David Erskine, a clergyman of the diocese of St. Andrews, as perpetual Commendator of the monasteries of Inchmahome and Dryburgh.

1639, February.—Roll of the Vassals called by the Earl of Mar in his actions:—"George, Marqueis of Huntlie; Alexander Forman in Suaden; Alexander Mowat in Holand; John Patersone in Denmark; Alexander Forbes of Tollies; Johne Balcairne in France; . . . Fentoun in Suaden; . . . Norie

in Pole; John Blakhall of that Ilk; Majorie Strauchin his mother; Johne Leslie of Balquhane; Elspet Innes his spous; Gilbert Farquhar of Tullois; Robert Blakhall, sone to William Blakhall, burges of Abirdeen; Alexander Abircrombie, elder of Birkinbog; Alexander Abircrombie younger of Birkinbog; . . . Urquhart his spous; William Forbes of Barnes; George Leyth of Overhall; . . . Dunbar his spous; . . . Leyth his mother; . . . Dun of Ratie; Alexander Leslie in Tullois; Johnn Leyth of Harthill; Johne Leslie, portioner of Buchanstoun; Patrick Leslie, burges of Aberdeen; L . . . Keith, sone to umquhile Mr. Gilbert Keyth, minister of Skene; . . . Hay his mother; Marjorie Knowis, relict of the said umquhile Mr. Gilbert Keyth; Sir Alexander Gordoun of Clwnie; Johnn Forbes of Byith; Mr. George Leyth, minister at Culsalmond; Alexander, Lord Pitsligo; . . . Davidsoun, sone to Alexander Davidsoun of Ardmacron; Alexander Seyton of Blair; Johnn Forbes of Brux; Issobell Gordoun his spous; Arthur Forbes, broder to Alexander Forbes of Tollie; James Thomesoun in the Maynes of Tollie; Alexander Forbes of Innernochtie; Alexander Calder of Aslowne; William Gordoun of Tarpersie; Sir James Gordoun of Lesmoir, knight; Alexander Strauchin elder of Glenkindie; Margaret Fraser his spous; Alexander Strauchin younger of Glenkindy; . . . Urquhart his spous; Sir William Forbes of Craigiwar; Robert Forbes, his broder; George Leslie elder of Kincragie; Mr. John Gelly, parsone of Monymuske; . . . Keyth, Lady Blakfurd; Sir Archibald Wod, his spous; Alexander Banerman of Elsick; Margaret Forbes, hir spous; Frances Garioche, sone lawfull to umquhile James Garioche of Kinstair; . . . Leslie of New Lesly; Sir John Scrymgeour of Dudop, knight; Sir George Gordoun elder of Geycht; Alexander Gordoun of Abiryeldie; Cristiane Nicolsone, his spous; Elizabeth Seytoun, his mother, relict of umquile Alexander Gordoun of Abiryeldie; James Gordoun elder of Balmorell; James Gordoun younger of Balmorell; Alexander Irwing of Westoun; . . . Gordoun of Dunkintie; Johnn Gordoun of Corrochrie; George Gordoun of Tullochaudie; Alexander Skene, servitor to the Laird of Skene; James Chalmeris, burges of Aberdeen; Alexander Rutherfurd, burges there; . . . Couttis of Auchtircoule; Alexander, Master of Forbes."

II. Letters and Papers.

Ordinance for the Keeping of King James the Fifth.

1522, August 3. Edinburgh.—The ordinance of thaim that ar ordinit to remain with the King for his keping, and the estait of the expense to be maid thereupon and quhair it sall be tane for furnissing and payment of the samin.

First. The Lord Erskin sall have the keping of the King togidder with the Castell of Striviling, quhilk Castell sall be halely deliverit to the said Lord Erskiu to kepe in surnes: That the said Lord sall half yerlie four hundred lib. and to be payit to him monethlie be the Comptrollar equally as it comis to of the saidis four hundred lib. be year.

Secondlie. He sall be his scoule master that sall wait on his Grace, and instruct him in all gude vertuis, to reid and write and to speke Latin and Fransh; and the said master to ly in the Kings chalmer, and the usher togidder with the verletts of the chalmer.

Thredlie. Sall be with the Kings Grace, his capitan of his gard, Allan Steward, and under him his levtenant, Andro Towrs, and 20 footmen, quhilk sall nightlie weche before the Kings chalmer be fours; and they sall nightlie come and ressave the wachword fra the said Lord Erskin; and thir 20 footmen sall be abilzeit anis in the yere be the Thresaireare of the colors of the King, read and yallo, and ilk man 50 shillings Scotts money in the month; and the said Capitan of the Gard sall haif 200 lib., and the said livetenent 50 lib., to be pait of the first ward and marriage that sall happin; and the said livetenent to haif his ordinar expense in the Kings house attour the 50 lib., and unto the month of September to be furnist be my Lord Governors coffers.

Furdlie. The said Lord Erskin sall haif the keyis of the Castell nightlie, and he sall caus the wache to be maid nightlie, for the quhilk he sall haif of meil to furniss the said wachemen; quhilk sall be causit nightlie to wache be the said Lord Erskin in all plas neidfull of the said Castell, and as he sall think spedfull and necessair.

Fyftlie. There sall be with the Kings Grace ane Master of Household, ane coppar, ane carver, pantreman, verlotts of his chalmer, ane prest to say him mess, his ushar, cuke, clerk of the expenss that sall nightlie in presence of the Lord Erskin, the Master and Capitan of the Gard take the compts and write thame, gif they may be of laser at them, and at the lest that they see thame anes ilk week.

Sextlie. That nane sall sit at the Kings burd bot at ane uther burd beside quhair the Lord Erskin, the master, the captain, his livetenant and ushar sall sit in the same hour that the King dynis to the effect that after dyner they be also redy to await upon him as he has dynit; and that the Kings plait furniss them that stands and servis him; and the Lords meiss furniss them that ar uther officers, quhilk togidder sall dyne at ane uther house efter that they haif dynit; quhilk all sall be furnist be the Comptrollar.

Sewintlie. That Borthuik with ane servant with him sall remain continually with the Kings Grace and be furnist be the said Comptrollar.

Eightlie. That he that sall be deput be the Queen to remain in the place of Striviling for keping of ———— in sum honest ———— quhair it sall be maist speidfull thought be the said Lord Erskin, Master of Work and Capitan of the Gard.

Nynthlie. That quhen it sall be thought speidfull that the King pas to the Park that it be be avise of the saids Lord, Master and Capitane, and that he pas bot sindill thidder, and quhen he passis that it be secret and in right fair and soft wedder, and that thair be with him 20 or 12 of the best of the towns quhair they pas; and that or they cum furth of the Castell that thair be 6 or 8 horsemen ane myle or twa out with thame to scur all places neidfull; and that they haif ay in the Castell sufficient noumer to kep it unto thair returning agane; and that all gudlie
not at anis above the number foresaid, bot com and enter at sundry and diverse tymes; and that they that comis first pas furth or the tothers com in.

Item. Right sua that quhen the yetts beis oppinit in the morning that er they be oppinit that they gar se and consider wele gif there be ony thair or near by that may mak impediment or troubill; and right sua or they be stekit at evin that it be considerit quha is thairin, or gif thair be ony in mair than is ordinit and suld be thairin.

Item. Attour that the said Lord Erskin sall ———— the moustres and athes in the Kings name, and for his shair of the futmen that beis thair for the Kings gard. At Edinburgh the third day of August. *Sic est vera copia.*

[*Copy. The copyist has evidently been unable to decipher some parts of the latter part of the original deed*].

Act of Parliament for the Safe Keeping of King James the Fifth in Sterling Castle in his minority, 1523.

In the Parliament haldin at Edinburgh the secund day of September the yeir of God, j^{m}v^{c} and xxiij yeiris. It is devisit and ordanit be the Lordis chosin to the articlis be the thrie Estaittis of Parliament, that is to say, for the spiritualitie, ane maist reverend and reverend fathers in God, James, Archiebischope of Santt Androis, Chancellar; Gawin, Bischope of Abirdene; ane venerabill father in God, Johne, Priour of Sanct Androis; and for the temporalitie, nobill and michtie lordis, Alexander, Erle of Huntlie; Colyne, Erle of Argyle; Johne, Lord Flemyng; and for the commissaris of burrowis, Maister Frances Bothuile, president of Edinburgh; Maister Adame Ottirburn of Auldhame, and Johne Mar, commissar of Abirdene; that the lordis underwrittin, that is to say, David, Bischope of Galloway; Alexander, Abbote of Cambuskynneth; Gilbert, Erle of Cassillis; and Johne, Lord Flemyng, with the lordis and utheris that wer devisit in the last Parliament for the keping of the Kings Grace maist nobill persoun, pas and await upon his Grace his service and suir keiping as efter followis:—In the first it is devisit and ordanit that the Lord Erskin haiff the keping of the Castell of Striveling baith nicht and day and of the interess of the samyn as he had of befoir, and that thir lordis above-writtin that ar devisit now to await upon his Grace sall be ludgeit and ly in the said castell and eit at the burd quhair the Lord Erskin eittis, or at the Kingis burd at his Grace command, and twa servandis with everie ane of thame to eit thairin; and that all the saidis lordis await upoun the suir keping of his maist nobill persoun quhen it sall pleis the samyn to pas for solace to the Park of Striveling or to the Abbay of Cambuskynneth, or utheris equevolent thairto, at the consideratioun and discretioun of the saidis lordis and returne agane at evin, and nocht to ferrar places unto the tyme it be permeit utherwyise be the Quenis grace, the Lordis Regentis and of Counsall; and that they convoy his Grace with all their honorabill householdis quhill he returne agane within the said castell and than to await dilligentlie vpon his Graceis keping at all tymes. And the saidis lordis ar ordanit, chargeit and commandit to observe and keip all and sindrie the pointtis foirsaid on their honouris, lawteis and dowiteis that thai aw to the Kingis Grace, my Lord Governour and the realme.

Item. Because it is devisit that the Lord Erskin sall haiff the keiping of the Castell of Striveling and as is befoir writtin, thairfoir it is ordanit that he sall haif under him ane constabill, vacheman, garritouris and portaris on the Kingis expenses, siclyk as they had in the Kingis tyme of gude mynd, quhome God assoilzie.

Item. It is devisit and ordanit that all uther personis except the lordis befoir nemmit at ar about the Kingis persoun intercommoun nor talk nocht with his Grace speciallie to persuaid him to ony insolence or vices bot in presens of the

saidis lordis or be thair licence obtenit thairto, under the pane of hie punitoun as salbe sene expedient to my Lord Chancelar, Regentis and Lordis of Counsall.

Item. It is ordanit that the Lordis housheldis that ar devisit to be with the Kingis Grace haiff fre ische and entre in the said castell for the suir convoying of the Kings Grace quhen it sall pleis him pas to solace and at all other tymes quhen it salbe thocht necessar and expedient be the saidis Lordis.—*Extractum de libro actorum Parliamenti per me, Dominum Alexandrum Scott, deputatium reverendi in Christo patris et Domini Gavini, Episcopi Abirdonensis, Clerici rotulorum registri ac Consilij supremi domini nostri regis, sub meis signo et subscriptione manualibus.*

1525, August 3. Edinburgh.—Appointment by Archibald, Earl of Angus, Lord Douglas, "in the name and behalf of the Quenis grace, our darrest spous, and with avise and consent of the Kingis hienes," of Walter Cunningham to be forester of the King's park of Stirling and gardener of his garden there, and to have all the duties and fees belonging to the said offices of forestership and gardenership which George Campbell, Robert Forestare or any other holder of these offices had, and that during the King's pleasure and his own good service.—*Signed,* James R.; A., Erl of Anguse.

1532, July 20. Edinburgh.—Account of John, Lord Erskine, Sheriff of Stirling, of his receipts and expenses from 9th August, 1531, rendered in Exchequer. He mentions having made certain payments to William, Bishop elect of Aberdeen, Lord Treasurer of Scotland.

1536, April 15th. Stirling.—Letter of Bailiary by King James the Fifth appointing John, Lord Erskine, bailie of his lands and lordship of Stirling, with special reference to a bailie court to be held by him in the tolbooth of Stirling on 21st April instant to which all the feuars, tacksmen and occupiers of these lands have been cited for production of their titles; 29th year of reign. *Signed,* James R.

King James the Fifth to John, Lord Erskine.

1537, January 6. Paris.—Rex.—Traist cousin and counsalour, we gret you hertly weill, and resavit your writting and onderstandis the samin, and wes glaid of your haiste wayage, and als of the recept of our Castel of Dunbare thegedder with the expedicioun of all our effaris gevin be us to you at your departing, of the quhilkis we thank you gretly; and prais yow be diligent and se all thingis be ordourit now at this tyme agane our returnyng, and that ye concur with our Chancellair and regentis and se all thingis be put to poinct conforme to our mynd send to thame thairupoun. Subscrivit with our hand at Parise the vi. day of Januare.—James R. *Addressed*:—To our traist cousin and counsalour, Johne, Lord Erskin.

1538, August 11. Stirling.—Letters by King James the Fifth ordaining the Sheriff of Stirling to desist from uplifting from the lands in Stirlingshire belonging to William Edmonstone of Duntreath, any tax which had been granted to the King during the time he was in France, as the King had remitted and forgiven the same to the said William, who was with the King in his service in France. *Signed*, James R.

Testament of King James the Fifth.

1540, June 12. Leith.—We, James, be the grace of God King of Scottis, now being on our vyage to our Ilis be sea, knawing the uncertane aventuris that may fall to all maner of men, great and small, be deid, as God forbid, or utherwyse, providing for the wele of our dearest sone, James, Prince and Steward of Scotland, and of our realme, makis, constitutis and ordanis our right trustie cousing and counsaler, Matho, Earl of Lennox, Lord Darnlie; William, Earl of Montross, Lord Graham; and Johnne, Lord Erskin, tutouris testamentouris, gydaris and governors to our said dearest sone, and of our realme in caise of our deceise, as God forbid, or ony uther caise adversare that may happen to us or our returning againe, in the best and maist ample wyse that the law providis in sic caise. In witnes hereof we have subscrivit this our uttermaist will in that behalf with our hand, in our raid of Leith the 12 day of the month of Juin, the year of God ane thousand five hundreth and fourtie years, before witnessis, James Lermonth of Dersy, our Master Houseald; James Kirkaldy of Grange, our Thesarorar; Thomas Erskyne of Brechin, knycht, our Secretair; and Mr. James Foulis of Colyntoun, Clerk of our Register.

XII° die mensis Junij anno Domini M° V^c^ quadragesimo, hora septima post meridiem, vel eo circa, in prætoria sua nave vocata Salamandro in statione Lethense, serenissimus rex, Jacobus Quintus, paratus cum sua classe in insulas navigare, modo, forma et effectu præscriptis, fecit, constituit, nominavit et ordinavit Mattheum, Comitem Lenoxie, Dominum Darnley; Willielmum, Comitem Montroiss, Dominum Grahame; Joannem, Dominum Erskyn, tutores testamentarios sui filii primogeniti, Jacobi, Principis et Senescallis Scotiæ, et regni Scotiæ gubernatores in uberiori forma: testibus, Jacobo Lermonth de Dersy, magistro sui hospitij; Jacobo Kirkaldy de Grange, suo thesaurario; Thoma Erskyn de Brechin, milite, secretario; et me, notario subscripto. Super quibus idem serenissiums rex petiit instrumentum seu instrumenta. Sic subscribitur, Ita est Jacobus Foulis, notarius in præmissis. Concordat cum sua originali, comparatum et collationatum per me notarium subscriptum. Ita est, Alexander Hay, Scriba Secreti Consilij S.D.N. Regis ac notarius publicus. *Copy.*

1556, February 10. Edinburgh.—Letters appointing Robert Hammiltoun of the Briggis Master of all her Majesty's Artillery and munitions, in recognition of his faithful service in the wars with "the auld enemies of England," his passing in person

to the raids and gatherings, and defence of sundry castles and fortresses of which he had the charge. Thereby he has gained much experience in the ordering of munition and artillery. The appointment is for his further encouragement in her Majesty's service and that of her mother, the Queen Regent. He is impowered to visit and oversee all her Majesty's castles and to take order for "bielding, defence and keeping" thereof and the artillery and munition of war therein. For this he is to receive the fee of £100 Scots yearly. *Copy.*

1566.—Mandate by Queen Mary, beginning "Rex et Regina," to the Lords and Auditors of Exchequer, requiring them to give effect to her gift of the earldom of Mar to John, Lord Erskine. She had conferred it upon him not only because he had "the undowtit heretabill rycht" thereto, "being linealie discendit of the ancient heretouris of the same," but also in return for his discharging a liferent he had of the lands and lordship of Menteyth. Notwithstanding of this he has been frustrated with regard to the rents of the said earldom, especially of the lands of Wardres through their being assigned to certain trumpeters. The Queen requires them to rectify this and provide for these trumpeters from her lands of Menteyth, taking care that no part of the said earldom and lordship of Gareoch and Kintor be hereafter infringed upon contrary to her expressed will and mind. Dated at ———— the ——— day of ——— and of our reigns the second and twenty fourth years. *Signed,* Marie R., *fiat.*

Direction by Queen Mary to the Earl of Mar about the safety of Prince James.

1566-7, March 29. Edinburgh.—"Instructions to our trustie cousing and counsalor, Johne, Earl of Mar, Lord Erskin, &c., Capitan of our Castell of Striviling, towart the governance of our darrest sone, the Prince, at Edinburgh the nynetene day of Marche the year of God, 1566 years.

Forsamykle as haiffand our speciall truist reposit in your persone as in him of quhais treuth and uprychtnes towards us alwayis we haif had infallable experience, thairfor we haif thought gude to put in your hands our darrest sone, your naturall Prince, to be conservit, nurist and upbrocht within our said Castell of Striviling under your tutill and governance. And to the effect that ye may be the mair able dewlie to accomplis this charge, so honourable and of sa great importance, to the plesure of God, our contentatioun and the weilfair of this realme, your natife contrie, it is our will, and we command you expresslie swa to keep our said castell as ye will answer to God and upon your allegance to us, and that ye suffer nor permitt na noble men of our realme or ony uthers, of quhat conditioun soever that they be of, to enter or come within our said Castell or to the presence of our said darrest sone, accompaneit with ony ma persons bot twa or three at the mayest, and that boddin in sic decent maner as becomes men to enter in ane strength or fortalice.

Vicesimo die mensis Martii anno Domini millesimo quingentesimo sexagesimo sexto; testibus, Waltero Setoun de Tullibody; Joanne Craigengelt de eodem, præposito burgi de Striveling; Jacobo Stewart de Down, milite; Roberto Forrester, Duncano Forrester et Joanne Leischeman, ballivis dicti burgi et Joanne Moubray de Barnbougall, Roberto Callendar de Maneir, Jacobo Campble of Ardkinglass, cum diversis aliis; hora duodecima in meridie aut eo circa, apud portam castri de Striveling. *Copy.*

1566-7, March 19. Holyroodhouse.—Mary Queen of Scots, and the Lords of Privy Council, "having perfyte knawlege be gude pruif and experience that our Castell of Edinburgh, being committit first to the charge and custodie of our umquhill cousing, Johnne, Lord Erskine, and efter his deceis to oure trustie cousing, Johnne, Erle of Mar, Lord Erskine, etc., his sone and successor, hes bene faithfullie, suirlie and diligentlie kepit be thame, and that als weill the ane as the uther haif baith done thair honorable, trew and faithfull service and dewite to us in keping and custodie thairof sen the first committing of the same to our said unquhill cousing but ony reproche or offence to be layed to thair charge in ony wise thairanent; and alsua we and the said Lords of our Secret Counsale acknawlege and confes that we haif resavit fra our said trustie cousing oure said Castell and all and sundry munitionis and uther things whatsomever resavit be his said umquhill fader thairin," exoner and discharge him thereof; declaring that neither he nor any in his service have failed in their duty in any respect either in Her Majesty's own time, or in that of her deceased mother, and promising that no action shall ever be taken against them in any time coming for any alleged dereliction of duty herein. *Signed,* Marie R., Crawford, Cassillis, Rothes, B. of St. Andrewes, Tullibardin, Controller; Flemyng, Huntly, James Stewart, Joannes E. Rossens., Harris, Boithuel, Athole, Sir James Balfour, Jn. Balindine, Wm. Maitland, C. Ross,* Argyle. *Copy.*

1567, July 22. Stirling.—The provost, bailies, council and deacons of the burgh of Stirling convened in the council house of the same, upon the compearance before them of John, Earl of Mar, in name of the nobility, with "the maist honorabill and godlie band" lately subscribed by them for pursuit of the murderers of Darnley, dissolving the ungodly marriage between the Queen and Bothwell, and securing the person of the Prince, all in one voice approve of the same, and promise their assistance to the nobility in carrying out the purposes thereof. In testimony whereof they request and desire John Craigingelt of that Ilk, their provost, in their names, to subscribe the said band. [Extract made by John Grahame of Ballindoirane, clerk of the burgh courts of Stirling.]

* Mr. David Chalmer, Chancellor of Ross.

The Royal Establishment for attendance on King James the Sixth.

The Kingis hous maid at Stirling the tent day of Marche 1567[-8].

Item. Imprimis, My Ladie Mar.
Helene Litill, maisteres nutrix;
Nanis Gray, hir douchter;
Helene Blyth, hir voman servand;
Gilbert Ramsay, hir man servand.

Rokaris.

Jeane Olyphant,
The Ladie Kyppinross,
Jeane Crummy,
Catherene Murray,
Christane Stewart, douchter of my unquhill Lord of Coldingame;
Alysoun Sinklar, keiper of the Kingis claythis;
Grissell Gray, keiper of the Kingis claythis.

Pantrie.

James Cawbraith, pantreman.

Kiching.

Jhone Lyon, maister cuik;
James Murray, foirman;
William Murray, keiper of the weschell;
Cristell Lamb, gallepyn in the kiching;
Jok Slowan, portar in the kiching.

Vyne Sellar.

Jerome Boy, in the vyn sellar.

Aell Sellar.

George Boig, brouster and sellarman;
Jhone Boig, his bruther.

Lavandrie.

Margaret Balcomie, lavander.
Johne Cunnyngame, maister houshald to the Kingis grace, with ane servand;
Androw Hagie, stewart, with ane servand;
Jhone Dunkesoun, minister;
William Murray, in the Kingis chalmer;
William Brokkes, in the Kingis chalmer;
Alexander Fargisoun, in the Kingis chalmer;
Jhone Acutrie, Franchman and his vyif;
James Marschell, keiper of the Laidnar;
William Fairbarne, furnisar of coillis;
Ane pastisar, callit Patrik Rannald.

Violaris.

Mekill Thomas Hudsoun,
Robert Hudsoun,
James Hudsoun,
William Hudsoun,
William Fowlartoun, their servand.

Item. For my Ladie Mar and hir servandis ane furnisit meas day takand thairto in bred, vyn, aell and kiching, as after fallowis—

Imprimis, daylie xiiij gret bred, j quart j pynt vyne, j galloun ij quartis aell, iij leiddis collis wouklie in vynter, viz. frome the first of September to the first of Aprill, and in symmer j½ leid, viz. frome Aprill till the month of September wouklie, and ane half pund candle in vynter, and in symmer ane half quarter of ane pund.

Item. To my Ladie and hir servandis daylie in the kiching on ane flesche day ij particles beif, ij builyeit pultrie, ij capounis rosted, iij quarteris of muttoun, ane kyd, ane syd of sukand weill, vj chikkynis or dowis, with bakyne meit to my Ladie alanerlie at the discretioun of the Maister Houshald, with potagis after thair discretioun, and on the fische dayis siclyk reffarrit to the stewart and Maister Houshald.

The maisteres nutrix, rokkeris and vtheris gentilvemen in the chalmer.

Item. To the maisteres nutrix daylie vj gret bred, j pynt vyn, j galloun aell, ij leiddis coillis ouklie in vynter and j leid in symmer, ane half pund candle in vynter and ane quarter pund in symmer.

Item. The iiij rokkaris, Alysoun Sinklar, Gressell Gray, and my Lord of Coldinghame his douchter, daylie viij½ gret bred, j quart vyne, j galloun j quart j pynt aell, j leid collis ouklie in vynter and nayn in symmer, and half quarter pund of candle.

The kiching for the maisteres nutrix, rokkaris and vtheris in the chalmer.

Item. Ane particle of beif daylie, ane builyeit pultrie, ij rosted caponis, iij quarteris of mutton, ij particles of weill, vj chikkins or dowis, ane kyd, with potagis refarrit to the Maister Houshald his discretioun.

Wiolaris.

Item. To the violaris and thair servand daylie vij gret bred, j galloun j pynt aell, ij leidis collis in vyntar and nane in symmer, ane quarter pund of candle in wynter, nane in symmer.

Kiching to the Wiolaris.

Item. ij quarteris of muttoun, ij poultrie with potagis and fische to be refarrit to the Maister Househald his discretioun.

Lavander.

Item. To the Lavander iij grete bred, j quart j pint aell, ij leiddis coillis in vynter and in symmer j leid.

Kiching.

Item. In the fleshe day ane quarter of muttoun, and on the fische day for hir liveray fische daylie xviij d.

Item. To the Maister Household, the pantreman, twa sellarmen, Jhone Lyoun, maister cuik, Jhone Dunkesoun, James Murray, foirman, Williame Murray, Androw Hagie, Jerome Boy, the pastesar, Jhone Acutrie, Franchman, James Merschell, William Fairbarne, and to the Maister Household and Androw Hegeis servandis in bred daylie, in bred xvj, in aell ij gallounis, j quart j pynt of vyne.

Kiching.

Item. In the kiching to thame ane particle of beif, ane muttoun, ij particles weill, ij capounis, vj chikkins or dowis.

Out Liverayis.

Villam Murray, keipar of weschell; Cristell Lambe, gallapyne; and Jok Slowan, portar in the kiching; to thir iij persounis iij gret bred, j quart j pynt aell, the flesche and fische to be refarrit to the Maister Household his discretioun.

Item. To the Kingis awne mowthe daylie ij½ gret bred.

Item. Of aell to the Kingis mowth—j quart j pynt.

Item. To his mowth daylie—ij capounis.

Summa of bred ..... lix gret bred.
Summa of aell ..... viij gallounis ij quarts.
Summa of vyne ..... j galloun pynt.
Summa of beif ..... iiij particlis.
Summa of weill ..... ij quarteris iiij particlis.
Summa of capouns..... viij capounis.
Summa of pultre ..... v pultre.
Summa of chikkynis ..... xviij or dowes.
Summa of kydis..... ij kydis.
Summa of candle .....
Summa of collis ..... xiiij laiddis thairof in owklie leverayis x leiddis and to the Kingis kiching daylie ij leiddis and to his chalmer daylie ij leiddis.
Summa of muttoun ..... iij muttoun j quarter.

At Striviling the tent of Marche the yeir of God ane thousand fywe [hundreth] threskoyr sewin yeiris.

This ordour abuif wryttin concerning the chardges and expensis of the King Majesteis hous and ordinair being appoincted and ordourit be us, we for dywerse and great considerationis mowing us expresle chardgis and straytle commandis our traist cusing, James (*sic*) Cunnynghayme of Drumquhastill, quhome we haif appointed Maister of Houshald to the Kingis Majestie, to keip and obserwe and cause be keippit and observit this prescrywed ordour without eyk or demynutioun; and that Andro Hegy, his Majesteis prowisour, attempt na wayis in any sort to wiolett the same, as thai will answer to us vpon thair alledgeance, and the excess to be deducytt to thame vpon thair comptis and ly to thair awin chardgis ay and quhill we be express command sall alter the same: Chardging alsua the said Maister Houshald that he be

cayrfull to se ewery ane within our said bill ordinar of houshald to resort to the ordinair preyching and prayeris and that godly and honorable conwersacion be used be thame as it becummeth sic as quhais lyiffis and conwersatioun may be ane patron and leyrning to sa notable ane personage as his Majestie, James, that na example of ungodly and lycht behaweour be gewin be any persoune quhairof the imitation may do hurt to his Hychtnes tendernes. Gewin at Striviling the tent of Mercht forsaid j$^{m.}$ v$^{c.}$ lxvij yeiris. *Signed*, James, Regent.

1568, May 1. Glasgow.—James, Earl of Murray, Regent, to the Earl of Mar. Requiring him in the King's name, owing to the present state of the country and the utmost necessity of circumspection for the safety of the King's person and house of Stirling, to remove all persons out of the Castle of Stirling, except those of his own family and retinue and such as upon life, honour and heritage will answer to the Regent; also commanding Andrew Hegy not to furnish food or other necessaries to any other person therein save to those whose names shall be given to him in roll by the said Earl of Mar, Captain of the said Castle. *Signed*, James, Regent. *Copy.*

Letter by Queen Elizabeth to the Earl of Mar and his Lady.

1568-9, January 22.—R. T. and B. [Right trustie and belovit.] We have of late hard by report that the Queen of Scotts should by her letters lately sent to sondry persons in that realm, where we are soyry on hir behalf, menting that the Erle of Murray shuld now at his being heir have made certain contracts and covenants for his own privat comodite to aspyre to that crown to the prejudyce of that realme and of our dear yong coosyn, the Prince, our godsone, being in your custody, meaning thereby, as it semeth, to blemish our sy[n]cerite and honorable good meaning in all our actions towards that state and contrye, which suerly Almighty God, who knoweth the inwardnes of our hart, we are assurit, will not permitt to have place of credit with honorable and good persons, the sayd reports being altogether fals (*sic*) means as we thyt conceaved by hir, as we meane to lett hir understande that she may ces to credit such seditios persons as move her so to wryte. Nevertheles for a full satisfaction of you both, whom we knowe hath so tender a care over the child, we have thought good by these few words to testify to you in the word of a prince that sence the coming hyther of the sayd Erle of Murray we never treeated with hym for any such matter of contract nor ever yet concluded any such matter of contract with hym in any manner nor ever hard of any manner of speche intended with hym but all to the suerty and benefit of the child, to the contynuance of the Erles government as to us thought metest, untill it should appear to us that by the laws of the contry any other had more right, so as truly he passeth from hence in the same terms that he cam without any contract by wrytyng or word. And therfor we reqire you so to interprete our adois as the syncerite of the same dos reqyer. And

concernyng the tender child, being so neare in blood to us as he is and our godson also, may be in perill of such as wer gilty of the murderyng of his father or otherwise that may have worldly commodite by the loss of hym, we earnestly require you to continue your care for his securite, and dout not but in anything that may tend to his perill you shall have our assistance to withstand it.*

1570, July 30. Stirling.—Precept by Matthew, Earl of Lennox, Regent of Scotland, to the Master and Steward of the King's household to receive Mr. George Monro, servant to Mr. George Buchannane, into the King's household, and to give him his daily allowance. *Signed*, MATHEW, REGENT.

ACT OF THE PRIVY COUNCIL FOR THE SAFETY OF THE KING.

1570, October, 12. Edinburgh.—Forsameikill as my Lord Regentis Grace and Lordis of Secritt Counsall understanding that our soverane lord for the maist partt sin his hienes has remanit within the Castill of Striviling under the custodie and governante of Johnne, Earl of Mar, Lord Eskine, &c., quhais trouth and affectioun to our said soverane lord is weill knowin, and the bypast car and diligence taken be the said Earl in the sure keiping and presevatioun of his Hienes maist nobill persoun, givis experience that thair is na metar personage to committ the custody and education of his Majestie unto nor na mair proper place for his Hienes residence then within his Hienes Castell of Striviling; and to the end that all confluence and multitude of people be restrictit and halden furth of the said Castell, thairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, findis gude and concludis as of befoir that our said soverane lordis maist nobill persoun sall be nuresit and brocht up within the said Castell under the custodie, cair and governante of the said Earl of Mar, and that his Hienes sall na wayes be transportit furth of the said Castell of Striviling to ony uther rowme within the realme or outwith, according to the tenor of the articles accordit unto the tyme of the said Lord Regentis acceptatioun of the office of regentcie: And for sur keiping and preservatioun of his Majesties persoun ordanis and commandis the said Earl of Mar to keip the said Castell of Striviling straitlie and diligentlie as he will answer upon his honour and allegance, and that he suffer and permitt na maner of persouns to enter with armoir in the said Castell nor nane bot sic as hes or sall subscrive to the obeydiance of the Kingis grace and his present Regent sin his acceptatioun of the regiment in his persoun; nor that na ma servandis enter within the said Castell with ony earl or bishope but three persouns onlie, with everie lord twa persouns and with everie barroun but ane persoun att anes, and that without armore: And also commandis

* This is a copy made in 1730 by Matthew Crawford from a copy in the Paper office in Secretary Cecil's hand, and indorsed, "Januar 1568, Copy of the Q. Maty's lre to therle of Mar and his wife." Cecil's "copy," being the original draft in his own hand, with many alterations, is among the State Papers, Scotland. (See Calendar of Scottish Papers, vol. ii, p. 609).

and chargeis the provest, baillies, counsell and inhabitantes of the burgh of Striviling to keip watche and ward at the commandment and ordinance of the said Earl of Mar, and constable of the said Castell in his absence, at all tymes neidfull; and also to serchie, seik and apprehend all suspect persouns hantand and reparand within the said burgh and fredome of the samyne as weill of the inhabitantes thairof as uthers that has resistit his Hienes authoritie, and to take order and suretie with the said persouns be warding, banishment, taking cautioun of them or otherwise: And that the said Earl of Mar, as also the saidis provost, baillies, counsell and inhabitance of the said burgh may be the mair abill to performe and execute the premisses, my Lord Regentis grace, with avyse of the saidis Lordis of Secrett Counsall, givis and grantis licence to the said Earl, his kin, freindis, tenantis and servantis, dependaris on his house, that sall be present with him in the said Castell for the King's Majesties gard and preservatioun, and thair tenantis and servantis, as also to the saidis provost, baillies, counsell and inhabitance foirsaidis, to remane and byde at hame fra all and sundrie oistis, armies, raidis, weirs, wapinshawingis and assembles to be maid outward the fredome of the said burgh of Striviling in tyme coming; dischargeing all jugies and ministers of law within this realme of all calling, accusing or in ony [way] proceding aganis them thairfore, and of thair offices in that part. *Signed*, Mathew, Regent. *Copy.*

Alexander Hay, Clerk of the Privy Council of Scotland, to the Earl of Mar.

1570, November 29. Edinburgh.—After maist hertlie recommendatioun of my humble service to your Lordship, I haif ressavit your Lordshipis letter with gretair thankes nor my puir habilitie is hable to deserve. Bot to use few wordes to your Lordship I want na gudewill. The generall remissioun your Lordship requiris I think mon stay quhill your self be present, for we ar slaw and airch in mony things. I mon remit to Robert Erskin to declair quhat is done at this day of law, for I am ignorant of the proceding being otherwyse occupiit this day. I sall get ane Act for the xj° lib. as your Lordship desiris, and sall mak the Thesaurair to be the suitair thairof.

For newes we have nane as yit from England writtin to us sen My Lord of Dumfermling departit. This night I wes at Mr. Randolphe and that quhilk I understand be letters laitlie cum to him wes this—That the place and tyme of the King of Francis marriage is alterit, the place fra Compeign to Merizeis (I wait not gif I write the names richt). That the King is verie incertane in his purposes, and it may be that quhen Yule is past he wilbe unmarijt. Thair continewis a brute of sum forceis retenit togidder in Picardy to be sent in Scotland. Ane Frances Welsinghame gais ambassatour to France and Sir Henry Noreis returnis. Thair is mentioun of a Parliament in England. The

Englishe rebellis are verie ernest in France and Flanderis. The materis concerning Scotland ar kepit verie cloise sen Mr. Secretary and Sir Walter Myldmay returnit from Chaseworth.

Thair wes a jowell send to our Quene from My Lady Atholl as is quhisperd, bot it is lichtit in the Quene of Englandis handis, I can not tell how. It is maid in form of a heirse of a harthorne na mair nor a mannis hand, well dekkit with gold and anamalit. At the ane part is the armes of Scotland; at the other part the Quene sittand in robe ryall, and befoir her ane rampand lyoun worriand a libbard, and beneth thir wordes writtin, 'FALL QUHAT MAY FALL, THE LYOUN SALL BE LORD OF ALL.' This is maid daintie yit and injunctioun to keip counsell quhen it is spokin of. Bot within viij dais it wilbe spokin abroade. We heir that the Quene of England is verie commovit at it and makis a familiar interpretatioun of the same.

I beseke your Lordship excuse me that I answer you na mair directlie in your awin materis at this tyme. My travellis continewis ythand in the cause of England and it hendris me oftymes. I feir continewallie that the quietnes of this Court sall bring in disestimatioun and without your Lordshipis be cairfull of the standing of it I feir the yshue. I am bauld to write this to your Lordship, bot my lippynnyng is your Lordship will not take it in evill part. The doyngis of meane men, and thay wer never sa weill, ar contemptible, and will never pleas all partiis. It is not my part to accuse. Bot I sall wische to God materis may be weill and sall not spair my awin gude will and travell. And sa forbearing to trouble your Lordship with langar letter committis you in the protection of Almighte God. At Edinburgh the 29 of November 1570, in sum haist. Your Lordshipis humble and affectionat servand to command.

A. HAY.

QUEEN ELIZABETH to the REGENT MAR.

1571, October 2. Richmond.—Right trusty and right welbelovid cousin, we greete you well. Where by your letters sent to us by William Steward and presented to us by him and James Cunningham you have signified to us the reasonable cause for your forbearing to write any sooner after the death of our cousin, the Erle of Lennox, late Regent there, whose soule God have in his keeping, we have very well allowed of your excuse for the delaye. And seing it pleased God to call our said cousin to his mercy we are right glad that the choice hath bene so good for the weale of that realm and preservation of our deere cousin, the King, as to name you to the place of Regent, for that surely we think none coulde have bene namyd in that realm more plausible to that nation, nor more meeter for the charge; althoughe we know well your selfe of good wisdom wolde have forborn it.

And as to suche thingis as by James Cunningham have bene movid to us and by our Marshall of Barwik, Sir William Drury, allso reported to us from you, we have had consideration therof.

And althoughe before this tyme we had an earnest desire that the King there shulde be preservid, howsoever matters might have bene accorded by treaty for the Queene, his mother, yet now we have very lately by Goddes goodnes discovered suche pernicious practises of the said Queene against us, our person and state, as we are necessarily occasionid, and so fully by advise of our Counsell resolvid, not to deale any furder by treatie or otherwyse in her favour to have any rule by our meanes to the prejudice of her sonnes estate, assuring our selves that Almightie God (by whose only goodnes as it weare miraculously we have discovered these late dangers) will contynue his favour towards us and staye her furder proceedingis that tended to the subversion of Christian religion professed in our realmes and to the setting on fire both the realmes with warres by bringing into the same of powers of strangers. And therfore howsoever we weare before this tyme disposed to have treated for her, being as we now see therin abused by her and her ministers, you may be assured that therin we meane not to give you cause to doubte of our intention to the trouble of that estate. And for furder dealing in your favours to help you to an universall quyetnes by a generall obedience to the King, according as we understand that all the three Estatis of that realm (a few only excepted) have now in the last Parlement accorded, we meane that you shall be made privie therof presently from our said Marshall of Barwik, and as soone after as may be by our cousin, the Lord of Hunsden, our Gouvernour there, who is appointed presently to repaire thither and shall have powre to treate and conclude with you and the rest of the nobilitie of suche things as may tend to the common repose of both the realmes. And where this bearer, Mr. Cunningham, hath abidden long heere since the receipte of your letters, we require you not to impute the same to him, but to the occasions that we have had to be occupied in other maters with our Counsell as we coulde not sooner expedite him with our letters.—Your lovinge frende, Elizabeth R.

Postcript.—Althoughe we doubte not but you will have good regarde to all suche causes as may concerne the state of our deere cousine, the Lady Margaret, late wyfe to the Erle of Lennox, as well for her own particular interests as for the benefitt and advancement of the house of Lennox, yet we can not but, both for the naturall affection we beare to her, and our good will to the house of Lennox and contynuance of the same, most hartely require you to shew to all suche as shall solicite her causes there, both for her selfe and for the weale of the house, such favourable hearing of them and such expedition in the effectuall aunswearing therof to their contentation as we may therby perceave that our recommendation hath in som part pleasured her. And furdermore we think it verie reasonable to keepe you in good remembrance that all suche as have alredy bene found parties and accessaries to the death of our said cousin of Lennox, the late Regent, or that heerafter sall be founde onywise participant therof, being not allready executed, may be with all severitie punished to thexample and terrour of

any suche like mischefe to be devysed and attempted. And in this behalfe we trust the rest of the nobilitie joyned with you in the obedience of the King will joyne with you as in honour and justice they ought to doo. Geven under our signet at our Mannour of Richmond the second of October 1571, the xiiijth yeere of our reigne.*

LADY MARGARET, COUNTESS OF LENNOX, to the REGENT MAR.

1571, October 4. Hackney.—My very good Lord, thowghe perverse fortune hathe byn suche in that realme towardis me that there I have lost my chefest comfortis, havinge cawse sufficyent thereby that the remembrance of the cowntry shulde be grevowse unto me, yet the naturall love quhich I have to the yonge Kinge, with allso your Lordshipis frendly dealingis allwayes, and last letter, of which I am enformed thowgh I sawe it not, hathe made me yelde to the perswadementis of sum abowte me to wryght at this tyme. And wheane your Lordship hathe now the government, which is sum comfort to me, for thereby I yet hope of the Kingis preservacyon, you shal be assured that what I maye doo in the advauncement of his accyons I shale not leave any thinge of my power unaplyed theretoo; lyke as I have allreddy, thowghe tyme unfyt, therefore I trust sumwhat fordered the cawse. And wheane your Lordship doeth so frendly offer to advaunce the howse agayne to the anncyent estate, whensoever I shale here the same to be done it shalbe much to my comfort; but the order how and what waye I refer to your Lordship, who I trust wyll remember the same for his sake that is gone, as allso to revenge his cruell end, as I have and shale procure the same in thes partis. And where there is sum mony owing as well to servauntis as to other poore men, that the same may be discharged, the rather in respect that all he had was willingly consumed in the Kingis service. And for suche jentellmen and others that served him whome he ment to recompence and had no tyme, I commend them to your Lordship to be good unto them as you maye; and en especyall the berer hereof, who hathe well deserved; and for any that hathe otherwayse which maye be better knowne to you then to me use your discrecyon, as in all thingis elles I refer to your wisdom. And so committis your Lordship and your procedingis to the proteccyon of the Allmighty. Frome my howse at Hackney this 4 of October, 1571. Your Lordshipis assured lovinge frend, MARGARET LENNOX. *Addressed*:—To the right honourable the Erlle of Mar, Lord Regent of Scotland, my very good Lord.

LADY MARGARET, COUNTESS OF LENNOX, to the REGENT MAR.

1571, October 15.—She understands that there were certain falcons in the keeping of the falconer that were intended to be sent to her, and that Lord Semple had taken one principal cast of them from Watty Falconer. A special friend has asked her for a good cast of them, and she begs it may be sent to Berwick, whither she has sent a man to receive the same.

* The answer of the Earl of Mar to this letter is dated 12th October, and is abridged in the Calendar of State Papers—Elizabeth. Foreign Series, p. 547.

Queen Elizabeth to the Regent Mar.

1571, November 24. Greenwich.—Right welbelovid cousin, we greete you well. Like as by your owne letters we perceave your good inclination to furder with your good favour all the causes of our right deere cousin, the Lady Margaret, Countesse of Lennox, so we well understande by her selfe that she esteemith the same favour to be the more amply and effectually offred to her for our sake. And for that purpose we have thought it very convenyent both to give you our most hartie thankes and to require you to contynue your good will, not only in generalitie as her causes shall require, but allso according to the particular affection whiche commendably she bearith towardis her late husbandis kynne and familie, that you will shew favour to the Bishop of Cathnes, brother to the said Erle, her husband, that he may enjoye still the Priory of Saint Andros, which was bestowed upon him in recompence of an other benefice that he left for that purpose; and lykewise that the intention of the late Regent might be fullfylled in the bestowing of the Bysshoprike of Glasgow towards the redemption of the landis of the Erldom of Lennox which were morgaged by the said Erle by occasion of his service in that realm. In bothe which particular suites we perceave our said cousin, the Lady Margaret, hath ernest desyre to have you to shew as muche favour as you can; and in so dooing we shall accepte the same as benefyttis yelded to us, which we will not forgett to acquite. Gyven under our signet at our Mannor of Grynwich the ——— day of November, 1571, the xiiijth yeere of our raigne.—Your verye lovinge frende, Elizabeth R. *Addressed*:—To our right trusty and right welbelovid cousin the Regent of Scotland.*

Queen Elizabeth to the Regent Mar and Privy Council of Scotland.

1571-2, January 30. Westminster.—Right trusty and welbelovid cousins, we grete you well. The great contynuall desier we have to procure a cessation of all hostilitie in that realm and a recovery of perfect peace in the same, moveth us not to forbear or interrupt our former intention heretofore signifyed by our cousin, the Lord of Hunsdon, knight of our order and Governour of Barwyk, and for contynuyng of the same, we, upon such informations as we have lately had from him and otherwise, have thought mete to send twoo of our trusty servaunts, Sir William Drury, knight, Marshall of our sayd town of Barwyk, and Thomas Randolph, Esquier, Master of our Postis, furst to the said Lord of Hunsdon to conferr with him at Barwyk, and so from him in our name to do there with you all such good offices and services as may best and with moost spede and surety at our instance procure a good accord and inward peace with an universall obedience to the King. Wherfor not doubting but you our cousin, the Erle of Marr, being there Regent, and you the rest our cousins being of the nobilite of

* The draft of this letter by Cecil is among the State Papers.

that realm and conjoyned with him in gouvernement of the realm for the King, will willingly give eare to our motions in this behalf, for which purpos we requier you to give firm credit as weele to these our servantis, Sir William Drury and Thomas Randolphe, being both knowen to be well affected to that realm, as to our sayd cousin, the Lord of Hunsdon, as occasion shall move him also to deale with you in like maner as you woold to our self. And we trust thereby the common good shall followe which we wish to that realm before all other next to our own. Geven under our signet at our pallays of Westminster the xxxth day of January, 1571, the xiiijth yeir of our reign. Your lovinge frende, Elizabeth R. (Addressed) To our right trusty and right welbelovid cousins, therle of Marr, Regent of Scotland, and others the Lordis of the Kingis Secret Counsell there and the rest of the nobilite.

Queen Elizabeth to the Countess of Mar.

1571-2, February 7th. Westminster.—By the Queene. Madame, considering the universall good report that we heere of yowre carefulnes and circumspectioun in the bringing up and nourriture of the young King, our good brother and deere cosin, we ar movid not onely to allow of your good nature and wisdome in discharge of so speciall a trust reposed in you, but also to commend you by the testimony of our awne letters; prayeing yow not for any respect to forbeare your good usage of him in these his yong yeres, both for the increasse and conservation of his health, and for the instruction of him in good maners and vertues agreable to his yeres and capacitie wherby herafter he shalbe thankfull both to our cosin, your husband, now his Regent, for the hazardouse service done in the charge which he hathe for defence of his parson and his contrey, and also to yow for his education. And therwith we also shall for him (being to us so tender of blood as he is) not be unmyndfull of you bothe. Geven under our signet at our pallaice of Westminster the vijth day of February, 1571, in the xiiijth yere of our reign. Your lovinge frende, Elizabeth R. *Addressed*:—To our cousine the Countesse of Mar.

1572, June 4.—Leith. Agreement between Mr. Robert Richardsoun, Commendator of St. Marie Ile, tacksman and furnisher of his Majesty's Cunziehous, on the one part, and John Achesoun, Master Coiner to his Highness, on the other part, with consent of John, Earl of Mar, Regent of Scotland; whereby John Achesoun is to receive "all maner of silver of quhatsumever fynes, being sufficient dows with the allay therto, except silver of Scottis cunz. , quhilk it sall not be lesum to him to brek, and sall wirk the same silver in half merk and fourty penny pecis," reserving one ounce of each stone weight of unmelted silver—£8 money,—for the working of each stone weight, together with the profit of a stone weight of every twenty stones passing the irons in the said coinage. He and his officers and servants in the Mint are exempted from all raids, assises,

watching and warding; and these servants he is to choose and be answerable for them. If he finds that he cannot without great loss work the Mint on the above conditions, his loss is to be recompensed at the sight of the Regent and Council; but if, on the other hand, he finds he can do it more cheaply, then he is to restore a reasonable part of the profit. *Signed,* JHON, REGENT; ACHESON.

QUEEN ELIZABETH to the EARL OF MAR.

1572, July 4. Westminster.—Right trusty and right welbelovid cosin, we greete [you well. By] Nicholas Elfeston, we receavid your lettres of June last, and did heare his [messadg] according to your request. And for that at the tyme of his comming hither (as he him self might well perceave) we wer not at suche leasure as conveniently we than could consider of the maters by him movid, by reason partly of the being heere of the Duke of Montmorency and other ambassadors of the Frenche King, our good brother, and partly also of our Parlement, we wer occasionid to deferre our answer untill that the said ambassadors were departed, and our Parlement also endid; which hath ben the cause of his staye, and so no default in him for his long taryeing.

And now for the maters movid to us, we have considerid the same and very sory we ar that our former motions and labours by sundry our messages and contynuance and pursuite therof by our servantis in that realme to have brought that realme to quietnes hath not taken place as we desyrid. Wherin surely we cannot but affirme great apparances of default, though not on your part as for your awne parson, yet so on the part of yow and other the lords and counsellours as ar joynid with yow, in standing to so hard tearmes with your adversaryes, as we cannot but impute to your hard dealing and refusall of certein our reasonable motions the delay of that ende that might have ben good for the whole realme. And yet heerin we do not excuse the frowardnes of your adversaryes in refusall of reasonable motions. But when we colde not induce yow to suche things as wer reasonable, we forbare to proceede against them to compell them to yeld to suche reasonable conditions as we wer disposid to have exactid of them. And so tyme now hath made the causes harder for us to deale in, wherof [we are] sorry; and so we have let the bearar hereof understand; to whome bothe we and certeyn of our Counsell have by our ordre declarid what we mislyke in your proceedings, and what we also ar desyrous to have yow, for the respect of the King and of your countrey, to assent unto; assuring yow that we desyre nothing more in that contrey but that the King there might be preservid in his estate and the whole contrey brought to peace amongst them selfs. And yet in the compassing heerof we cannot but yeld to tyme and to suche difficultyes as tyme and other circumstances do bring furthe. Wherunto we wishe yow to conforme your self and not to forgett in the seeking of advantage pretendid for the King

but that yow must in some part yeld to suche necessities as the tyme hath producid; and to accept and allow that may be had of your adversaryes, in recognition of the authoritie of [the King] wherunto they have yeldid, and yet for their particular surety[es an]d interests in their lands and lyveloods not to stand so peremptory as therby it may appeere that more regard is had to particular quarells or interesses of lyveloods by parsons of your side than to the Kings estate and to the publick peace of the contrey. Of all whiche we have at some good lengthe shewid our mynde to this bearar, who can sufficiently impart the same without further enlarging of our lettre. Given under our signet at our Pallaice of Westmester the iiijth day of July 1572, in the xiiijth yere of our reign.—Your lovinge frende, ELIZABETH R. *Addressed*:—To our cosin the Erle of Mar, Regent of Scotland.*

1572. Act of caution (not completed or signed) whereby Alexander Erskine of Gogar pledges himself and his friends and servants for the safe keeping of the person of King James within the Castle of Stirling, and also of the said Castle, at the direction of the Regent Morton; the Lady Countess of Mar continuing as his Majesty's "governant," and Mr. George Buchannan and Mr. Peter Young as his pedagogues for his instruction in literature and religion.

THE EARLS OF MONTROSE AND RUTHVEN to the MASTER OF MAR.

1572-3, February 20. Perth.—Traist cousing, efter our hairtlie comendatiouns. We ressaved your letter and hes conferrit with the berair upoun the credite committit be you to him, lykewyse hes sene the accompt quhilk ye desyir us to subscrive, and byndis the same sa hard and wechtie that we can not weill resolve to gif answer thereto, nor to obleis us in sa strait maner to sic tyme as lasure may serve us heireftir to haif perticular conference with you, and that we may knaw what releif we sall haif in case of contraventioun of ony pairt of the accompt. Gif the accompt had only borne soumis of money we wald not haif maid difficultie to acceptit the burding, bot to submit our lyiffis and heritage to perill in thir troublous tymis it is weill hard. Quhairanent we haif mair amplie schawin our mynd to the berair to be declarit to you, in respect of quhais sufficiencie we ceise to truble you with langare letter; and sua committis you to the protectioun of the Eternal. At Perth the xx day of Februar, 1572. Your assured freindis, MONTROIS, RUTHVEN. *Copy*.

1573, May 1. Holyroodhouse.—Archibald, Earl of Angus, Lord Dowglas and Abirnethy, with consent of James, Earl of Mortoun, Lord of Dalkeith, Regent of Scotland, and of John, Lord Glammes, his curators, acknowledges having received from Lady Annabell, Countess of Mar, 4000 merks Scots, as part of

*Cecil's draft of this letter is among the State Papers. The blanks in the original, which is torn, are supplied from it.

the tocher of 8000 merks promised to him with Mrs. Marie Erskin, his future spouse; *witnesses:* George Auchinlek, Mr. John Prowand, and Alexander Jerdane. *Signed,* Anguss; James, Regent; John, Glames.

1573, June 20. Holyroodhouse.—Letters appointing Alexander Jardane of Apilgirth, Master of his Majesty's Ordnance within all his Majesty's castles and houses or without the same, with right to the fees and emoluments of the said office; and instructing all gunners, ordinary and extraordinary, and all others concerned, to obey him therein. *Copy.*

1573, November 1. Assignation made for furnishing of the King's House from 1st November, 1573, to 1st November, 1574, under the charge of the Countess of Mar, and Alexander, Master of Mar. Also another of the same for the year from 1st November, 1577, to 1st November, 1578.

1578, May 5. Stirling Castle.—Warrant to John, Earl of Mar, Captain of the Castle of Stirling, to deliver David, Earl of Crawford, to Colin, Earl of Argyle, to be conveyed by him to the Castle of Edinburgh. *Signed,* James R., Atholl, Can^rius^, Ergyle, Montroiss, R. Dumfermling, Tuliberdin, Comptroller, G. Buchanan, R. B. Cathnes.

The Provost, Bailies, Council and Deacons of Edinburgh, to John, Earl of Mar.

1578, May 21. Edinburgh.—Denying the truth of some rumours which had reached his ears about them, and caused him to write to them. They have sent their townsmen Alexander Uddart, Henry Nesbet and Robert Abircrummy, to acquaint him more fully with the truth, as they had neither paid any men of war nor sent such to Stirling. They continued mindful of "the benefites and gude will quhilk we have resavit of your nobill parentis, now with God." *Signed by* A. Guthre, and a small seal of the town impressed on the paper.

Bond of Alliance and Mutual Defence between Coline, Earl of Argyle, Lord Campbell and Lorn, and John, Earl of Mar, Lord Erskine.

1578, November 27. Stirling.—Because of "the proximity of blood and allay standing betwixt us and the long assured friendship and steadfast good will quhich hath continued amongst our parents and predicessors in the true service of there soveraigne princes thir many years bygone, quhilk course and trade we intending by Gods grace to follow," they oblige themselves and their kin and dependants to concur with each other in the service of the King's Majesty, for his preservation, honour and welfare; to take part with each other against all deadly, the king excepted, and make known and hinder what they may learn is to be attempted against the honour or welfare of each other; to submit any variance which may arise between them to "their wives freinds and underly there declarator, and do all

things to preserve amity and concord, so help us God, and as we will answer upon our faiths and honor"; *witnesses*, Robert, Earl of Buchan; David, Commendator of Dryburgh; Adam, Commendator of Cambuskenneth; William Dowglas of Lochliven; Dougall Campbell of Auchinbreck; John Campbell of Caddell; Archibald Campbell of Lochnell; Coline Campbell of Otter; John Erskine of Dryburgh; John Erskine of Little Sauchie. *Signed*, ARGYLE, JOHN, EARLE OF MAR. *Copy.*

1579, September. Stirling Castle.—Precept by King James the Sixth directing the Treasurer to accept from John, now Earl of Mar, the sum of £32 as the yearly duty payable by him for the teinds of the lands of Dalnotters and Garthskaddane in the parish of Kirkpatrick, and belonging to the Abbey of Paisley. The Earl's late father, John, Earl of Mar, and Annabill, his Countess, had held the lands from the late John, Archbishop of St. Andrew's and Abbot of Paisley, but since the pacification and the entry of Claud Hamilton to the commendatorship of the said Abbey, Hamilton has been pursuing the said Earl and his mother and their tenants for a larger duty, and that out of "privat ewill will and malice." *Signed*, JAMES R., MONTROISS, R. DUNFERMLING.

WILLIAM MENTETHE OF THE KARSE to JOHN, EARL OF MAR.

1580, April 7. Karse.—Deprecating the disfavour into which he has fallen with his Lordship and offering by his special friend and servant, Robert Menteith of Wester Quarter, to submit to his will for any offence done, and to pledge the assistance of his house to that of the Earl, of which he was descended, and as their "forbears" were thus bound to each other. *Signed*, WILLIAME MENTETHE of the KARSE.

JOHN SUTHERLAND to the COUNTESS OF MAR.

1580, August 27. London.—Respecting some jewels of hers he had received from her brother, James Murray of Pardewis, and others, and which he is ready to deliver again on receiving a discharge of his banishment. He understands that her son is shortly to be married. London, 27th August, 1580. *Signed*, JOHNNE SUDERLAND.

1581, March 28. Abbey of Holyrood House.—Precept by King James the Sixth to John, Earl of Mar, and other keepers of the Castle of Striveling, to deliver over the said Castle with all its artillery, munitions and provisions, to Mr. John Stewart. *Signed*, JAMES R., and countersigned by LENNOX and ARGYLE.

KING JAMES THE SIXTH to the EARL OF MAR.

1581, March 28. Holyroodhouse.—Richt traist cousing and counsalour, we greit you hertlie weill. Sen the recept of your letter brocht unto us be Robert Erskyn, upoun occasioun of further troublis appearing shortlie to grow, out of the quhilks we

ar cairfull to see yow preservit, we have thairfore send west your uncle and the Clerk of Register to lett yow understand our mynd, as men that luffis yow, desirand yow to credite thame as our selff. Thus we commit yow to God. JAMES R.

1581, March.—A memoriall of the Master of Mar and the Clerk of Advise [? Register] to the King's Majestie anent the Earl of Mar and the messaige quhilk your Majestie derictit us.

First. For the ressaving of the castle. Because of Mr. Johnne Stewartis siknes, in case he be unable againe Monday, that your Majesties command pas to Michaell Gardner to supplie Mr. Johnne Stewart's place, for Michaell kenis au thing in the place, quhat amunition and uther graith is your Majesties auin and quhat pertenis to my Lord of Mar.

The Castell being deliverit over to Mr. Johnne, or in case of his continuance in siknes to Michaell upoun Monday, and a sufficient noumer of townsfolk put therin, according as your Majestie derectit, we think gude that your Majestie write to the town commanding thame to be masters of thair awin town, as thay ar appointit keparis of the Castell, and to put in sum folks in thair steple; as lekwiss in my Lady Marris house to keip the same unsurprisit be ony that might think to command the town thairby, to the effect your Majestie may be assurit to have the castell and town bayth at your commandment; and that thay adviss your Majestie gif thay will tak in hand and mak you to be assurit of the keping of the Castell and town, quherthrow ye neid not to be at ony charges to send forceis thair, for utherwiss your Majestie mon provide to have it kepit without thame.

That Mr. Johnne Steuart and Michaell Gardner adwise and see quhat provision of amunition or other thing necessar for the house is to be providit againe sic tyme as your Majestie may have occation to repair thither.

Item. Gif your Majestie think expedient to suffer ony noumer in the Castell, it is to be advisit how thay sall be furnisit.

As to my Lord of Mar, he has obeyit and will obey all your Highnes commands doutyfully as we assuritlie perswad our selfs, and sall be sic ane obedient subject to your Highness as was his fader, guidsir, and forbearis were to your Majestie and your predisesors befor; and as your Majestie hes begun to shaw your cair to savist him fra unconveniences, we besek your Majestie to continue it. We persave he takis heavy in hart that your Majestie suld think the Castell securer in ony mannis handis nor his, quharof we shew himself gaif the occasion in having to do with the Earl of Angus efter your Majesties inhibition. He is very sorowfull for the Earl of Angus trouble be resson of the luif and familiaritie that hes been betwixt thame, and the thought of thir things vexis him and augmentis his infirmities, quhilk might be perceavit be mony siehes, and he thinkis shame that it suld be reportit that he is out of your Majesties favor and credit. We shew him his awin perill gif he consent or follow furth the evill and desperat course of the Earl of Angus, and on the uther part comfortit him sayand

your Majestie was cairfull to save him for his faderis sak and his awin, althocht he had offendit farther nor he hes done; and gif the Earl of Angus acknowlegit his offence, we hopit your Majestie shall shaw favour to him for My Lord of Marris sak, and ressave his intersesioun. Quherupon he condisendit to obey your Majestie command presentlie, and promissit so to behave himself in tyme coming as your Majestie, God willing, sall have na occatioun to be offendit with him.

In the talking of thir purposeis he bursted furth saying—And will not the King be content to gif me libertie to pas furth of the realme for three years quhill his Majestie be better satisfied with me. We said we doubit not bot your Highnes wold satisfie his harty desire in that, gif he wer not better content to tary at hame after he had spokin with your Majestie. And sa we will besike your Majestie to order this and lett him ly in ather of our handis that we may lett him knaw how your Majestie is willing to grant his request, quhilk we think sall move him to be the mair settled in his mynd, and to think that he is not in your Majesteis displeasure.

Sum folkis about him that your Majestie we belive hes been informit did not thyr dewitnes, we wald wer put out of fear that thay suld not be troublit utherwiss nor be the ordinar courss of law and justice, and wer removed from his company, and therfor we promissit to mak humble sute to your Majestie for libertie to thame to remaine fra and from attending on your Majestie in Councell or utherwiss for a sertaine space, and that your Highnes sall tak them in your pretiction to be untroublit in bodyis, landis, posshionis, houss or gudis utherwiss nor be order of law and justice, because they ar promis that they behave thamselfis as obedient subjects and do nor attempt na thing againis your Highnes authoretie, nor on nawiss assist, practis with your Highnes inymeis, rebellis or declarit traytors, and that thare tenants and servants sall to the proclamation to be maid. . . . . the Clark of Register to travell for a to him to depart out of the realme, quhilk for awin simple opinion wer meit to be grantit; thairupon to be removed fra the company he is in; findand caution to depart betwixt and sic a day to be appointit wind and wather servand, and to pas and remaine at Dundee or Santandris quhill the wind and shipping servand, and on na wiss to practize or miell within or without the realme during the tyme of the . *Copy.*

The Inventar of all amonition and wearlic furnitor within the Castell of Striviling deliverit be an noble lord, Johne, Earl of Mar, Lord Erskine, &c., be the commandment of our soveraine lord and his Hienes charge, and ressavit be Mr. Johne Stewart upon the ferd day of Apryl, 1581 years, as follows:—

In the first, the gross culvering of brass with stock quheylls and haill iryne grayth mountit pertenning therto with the charge and belonging therto.

Item. The battard of brass mountit with quheills, haill iryne grayth, charge and pertaining therto.

Item. Three moyauts of brass with thair stocks and quheills not weill mountit; twa thairoff with iryne werk and the thrid without iryne werk.

Item. Three double falconis of brass all mountit with auld stocks and quheills.

Item. Uther twa double falconis unmountit, the ane of Inglis werk the uther of Scotts werk.

Item. Ane single falcone of brass mountit one . . . . . quheills and stock.

Item. Six hagbut of found of brass, with ane pair of calmes of brass corespondent therto.

Iryne Werk.

Item. Ane demie culvering of iryne montit with stock, quheillis, iryne werk, charge and .

Item. Twa facces of iryne, the ane theroff stockit and quheillit without iryne werk, the other unmountit, unstockit.

Item. Ane crenn to mount ordinance with, her pillie of brass and furnitor.

Item. Ane pair of phises to mount and dismount ordinance be.

Item. Twa bombardis of iryne in auld stock with three chalmers of iryne difierant tharto.

Item. Four barrall of cannon pulder, quhairof the ane wants ane quarter barrall.

Item. Three barrall of culvering pulder with ane half barrall thairof.

Item. Ane pillye of brass with ane chenzer of iryne to the woill.

Item. Ane bokett gird with iryne.

Item. Ane greit fedderit lok, with the key.

Item. Ane uther pair of phises in the . . . quhilk ar not good bot worne.

Bullat of gross culvering.

Of faccane bullatts.

Of moyaute bullatts.

Of double and single falcan bullatts.

Of chenzet bullat of munition the bullat.

Ingyne.

In witnes of the premiss the said Mr. Johne hes subscrybit thes present with his hand at the said Castell the forsaid ferd day of Apryl before venerable faders in God, Adame, Comendator of Camuskynet, David, Comendator of Drybrugh, Johne Murray of Polmaiss, John Levingston younger of Donypace, Walter

Lecky of that Ilk, John Haldane of Ballewell, and John Mushett, clerk to the said shiriff, in quhais handis instruments wes tane upone the obediance of the charge aboune written.

This is the just copy of the Inventor subscribit be the said Mr. Thomas . . . . . and deliverit be him to the noble lord, Johne, Earl of Mar. *Copy.*

1581.—Order by the King to William, Earl of Gowrie, Lord Ruthven, Treasurer, and Mr. Robert Creichtoun of Eliok, King's Advocate, for desisting from the prosecution of Robert Bruce of Bynning, elder, James (?) Bruce, his son, and Mungo Hamiltoun, Purdoven, their cautioner, at the instance of the King and Mr. John Ramsay in Wester Bynning. The only date is the fifteenth year of the King's reign. *Signed*, JAMES R.

1581, December 15.—Letter from the Countess of Mar to Walter, Prior of Blantyre. She has written to the King reminding him of the reward which had been promised to her and confirmed once or twice with consent of Parliament, for her long and true service in his young age. She desires not to set an example of importunity, but if she does not receive his Majesty's remembrance now, it would have been better for her never to have had it. She therefore desires the Prior, whose friendship and goodwill she has always found, in respect of his place and credit with the King, to urge his Majesty to grant her desire. *Copy.*

1583, October 29. Stirling.—License by King James the Sixth, under the signet, to John, Earl of Mar, and his servants, not being beneficed men or landed men, to go to France, Flanders, Almanie, and other parts beyond sea, for the space of three years. *Signed*, JAMES R., ARGYLL, ARRANE. It is also marked on the back as approved in Council the same day.

There is also a Passport to the Earl on parchment, written in Latin and signed "JACOBUS R.," at Edinburgh, on 26th November, 1583, in which the King commends him to all the European potentates and their officers; and likewise a Letter dated Holyroodhouse, 4th November, 1583, signed by the King and several of the Lords of Council, in which the King promises on the word of a prince that if the Earl should die during his absence (here said to be granted for five years), the gift of his ward and marriage and nonentry and relief of his lands would be disponed in gift freely to his son. This also is indorsed as approved by the Council.

1585.—Precept by King James the Sixth narrating that on 1584, for weighty considerations he commanded Annabel, Countess of Mar, to deliver her dwelling house and lodging in Edinburgh to the bailies thereof to be kept by them to his Majesty's behoof, and that she, at her removal being unable to take away her furniture, made inventory thereof and left it. This inventory was subscribed by her chamberlain, Robert Kinross. "Efter the laitt surpryse" of Edinburgh, the King placed the said lodging in the keeping of George Bruce,

whom he now commands to restore it to the said Countess, with the furniture conforme to the inventory; commanding also the Countess to receive the same from him and discharge him thereof before delivery is made. Given at Haliruidhous, but undated. *Signed*, JAMES R., Arrane, Thyrlstane.

1589, June 1.—Letter from Francis, Earl of Erroll, to the Earl of Mar, whom he has employed as his trusted friend to deal for him for favour at his Majesty's hands. He had hoped for an answer but had received none and could only conjecture that his lordship was unwilling to be the sender of evil tidings. He desires with all submission to place himself and estate and friends in the King's hands and is willing to remove out of the kingdom during his Majesty's pleasure. No nobleman in Scotland had cause to think him his enemy, and yet by the oversight of all he is worse handled than any other man, though "God be preasit, I carie a clene conscience and ane innocent hart." *Signed*, ERROLL.

HOLOGRAPH LETTER BY KING JAMES THE SIXTH to the COUNTESS OF MAR. (*Undated.*)

Lady Minny. This to schaw you that I have receiuit your fruite, and thankes you theifoire and is readie for mee [more] quhen ye pleis to send them, and sall gif as few by me as I may; and I will not trouble you farther quhill meting, quhilk sall be as schortlie as I may, God willing, and sa fair ye weill as I do, thanks to God. *Signed*, JAMES R.

FOUR HOLOGRAPH LETTERS from KING JAMES to the EARL OF MAR. (*Undated*).

John Slates—This is to desire for sic causis as thir my servaunts sall show you till adres you hither with all possible diligens efter the resait heirof. No further bot fairweill. JAMES R.

John Slaitis—Your long absence hes maid me sa to lang that I have nou thocht guid as for readiest remedie of the same ye writ ane letter to me desiring to cum and visie me in respect of youre lang absence but ony offence, as likewaies ane other to the Duik desiring him not to be ane hinderer thairto. The caus quhy ye sall doe this the Shiray, bearar heirof, will shaw you mair at large (quhom ye sall credit) but not at length for his toung is our schort. Fairweill, youre auld maister, not forgetfull, JAMES R..

I have thocht goode to direct the bearare heirof unto you to desyre you be advysed before the hande with sicc thingis as maye concerne youre honoure and weill, and that youre mynde and myne maye baith gang ane gait, for I trou my bypast actions have sufficientlie persuadit you that I ame als cairfull for youre honoure and weill, as youre self can be. Thus not doubting but ye will use als mekill of my advyce, suppoise I uaire not a King, as of any other freinde, and praying you to trust the bearare, I bidd you fairweill. JAMES R.

Milorde—Becaus it is thocht be sum that this youre heavie sikkenes proceidis of sum thocht, althocht ye never reveild any sikk maiter to me, I have thocht guide to direct this bearare unto you with my mynde in that maiter, praying you to think that suppoise thaise folkis uaire deirer to me nor they are I ualde think thame ueill bestouid that uaye quhilk ye uishe. And that ye may not thinke this to be onlie wordis to comfort you I pray you keip this as a band to bind me with heirafter; and praying you to creditt fullie the bearare I praye God send you youre hethe. JAMES R.

1591, April 28. Dalkeith.—Letters of caption against Umphra Colquhoun of Luss, knight, John Colquhoun, his brother german, William Rowand, servant to Sir Umphra, and James Colquhoun, servant to the said John, who have been denounced rebels at the instance of the wife, children, kin and friends of the deceased William Birsbane in Barnhill, of whose slaughter in January last they are accused: also against John Colquhoun, natural son of Robert Colquhoun of Camstrodane, Alexander Colquhoun, also his son, and Peter Mcloth Colquhoun, for not finding lawburrows to Andro McFarlan of Arroquhar, John and Umphra, his sons, Andro McFarlan of Gartavertane, Malcolme, Andro, and John Dow, his sons, and others of their name and friends. The letters are directed to John, Earl of Mar, and *signed*, JAMES R., J. T. Canc^llrius.

1591, September 9. Falkland.—Charge to all officers of arms and other receivers of the house of Rosdow, to deliver the same to John, Earl of Mar, and his duly authorised servants. *Signed*, JAMES R.

1593, November 10. Holyrood.—Signature in favour of John, Earl of Mar, Lord Erskine (of the great truth and fidelity of whom and his predecessors in the keeping of the chiefest strengths of the realm, especially of the Castle of Edinburgh, which has been for many years past entrusted to their care both by the King's dearest mother and by himself, the King has had full proof), appointing him Captain and Keeper of the said Castle for his lifetime, and assigning to him certain rents from the Bishoprics of St. Andrews and Dunkeld, the Abbacies of Scone, Lindores, Arbroath, Dunfermline, and Holyroodhouse, and others for the maintenance of the same. *Copy.*

1593, December 22. Holyroodhouse.—Charge to Mr. Alexander Weddirburne, Common Clerk of Dundee, and Gilbert Quhithill, Sheriff Clerk of Forfar, to appear before the King and Council at Holyrood, on 12th January next, and produce their protocols and registers for inspection, so that all writs therein concerning the deceased David Grahame, sometime of Fintry, might be seen; and also to give their oaths respecting any writs in their custody relating to him. *Signed*, JAMES R., S.R.C. Sc^rius.

Order by the King for the Apprehension of Mr. George Ker and Andrew Smeton.

1593. Rex.—We being crediblie informit that Maister George Car, sone to the unquhyll Aibboit of Nebottill, sen his eschaiping furth of vard out of our Castell of Edinburgh, hes mair seditiouslie nor of befoir trafiquit vith diverse of our subjectis in prosequitting the tressonabill interpryse confessit be him to haif beine intendit agains the trew religionne, our estait and realme; lykas he and Andrew Smetoune, ane of the ordinaris of our said Castell be quhais moyen and falset he eschepit, ar also favorablie interteinit and ressait in diverse places not far distant frome our bruch of Edinbruch and palice of Halieruidhouse, to the grait contempt of us our auctoritie and lawis, meriting hie punishment, his Majesty therefore grants commission to . . . . . to apprehend them, if necessary by force of arms and using of fire and sword. *Signed*, James R.

Ordinance for the Nursing and Keeping of Prince Henry.

1593 [-4], February.—Forsamekle as the Kingis Majestie our soverane Lord efter pruif had of the favour and blessing of Almichtie God in granting unto him successioun of his awin body and a prince (being a sone) of gud habilitie and expectatioun, for quhais preservatioun and norishment being cairfull, and remembering of the lang, trew and faithfull service of his richt traist cousingnace, Dame Annabell Murray, Countesse of Mar, and of his richt traist cousing and counsellour, Johnne, Erll of Mar, Lord Erskin, hir sone, capitane and keipair of his Hienes Castell of Striveling, quha and his wmquhill fader and guidschir be thre discentis togidder hes had the custodie and governance of the soverane princes of this realme in thair tender and young aige, namelie of his Majesteis self, and of his dearest moder and guidschir, King James the Fift, of noble memorie, and alwayes exercit that charge and office honorablie and trewlie: And in respect thairof thinking na uther personis mair meit and able to have the charge, credite and keiping of his Hienes dearest sone, the prince, nor the saidis Countesse of Mar and Johnne, Erll of Mar, hir sone, nor na place mair convenient thairfoir nor the Castell of Striveling, quhair his said dearest sone the Prince was born, thairfoir with avice and consent of his Hienes Privie Counsell, maid, constitut and ordinit the saidis Dame Annabell Murray, Countesse of Mar, and Johnne, Erll of Mar, hir sone, keparis and governouris to the Prince, his dearest sone, within the said Castell of Striveling; with pouer to thame to use and occupy the said charge and service, and thay to have, brouke and enjoy thairfoir sic honouris, privilegis and commodities as thay thame selffis or ather of thame or his umquhill fader or guidschir had and broukit in lik caice of befoir Thairfoir the saidis Dame Annabell Murray, Countesse of Mar, and Johnne, Erll of Mar, hir sone, as principallis, taking and ressaving upoun

thame the charge of the keping and governance of the persoun of the said maist noble Prince and of the said Castell of Striveling during his graces remaining thairin, and William, Erll of Mortoun, Lord of Dalkeith, Patrik, Lord Drummound, Schir Johnne Murray of Tulibardin, knycht, and Schir Archibald Striveling of Keir, knycht, as cautioneris and souirties for thame, ar becum band and oblissit, and be the tennour heirof bindis and oblissis thame upon thair faithis, honnouris and allegeance that the said Johnne, Erll of Mar, be him self, his freindis and servandis, sall keip the said Castell of Striveling in the name and to the use and behuif of our said soverane lord, and sall alsua saulflie and suirlie keip and observe the persoun of the said maist noble prince, our soverane lordis first begottin sone, within the said Castell of Striveling at the devotioun and directioun of his Majestie his fader, his Hienes remaining and continewing vnder the nuritur of the said Annabell, Countesse of Mar, his Majesties governant, as towards his mouth and ordering of his persoun, and that his Graces persoun na wyse be removed nor transportit furth of the said Castell to ony vther place, nor that nane dissobedient to our souerane lordis auctoritie or knawin not weill affectit to his Hienes, nor thair wiffis, bairnis or servandis, salbe ressavit or sufferit to have interes or residence within the said Castell; and that no erll be ressavit within the said Castell with ma nor servandis, na lord with ma nor , no baron with ma nor , nor na gentleman bot single and allane, and all without armor or wappynnis, and the nowmer of the haill to be ressavit attanys, to be within the ordinair mowmer intertenyt in the said Castell, and that the ordinar servandis appointed presently be his Hienes with avise of his counsell to attend upoun his dearest sone, the Prince, sall not be removed from his Grace nor utheris placeit in thair chargeis and service without the speciall advise, warrand and command of our said soverane lord and his Privie Counsell. And this present order quhill the first day of Aprill the yeir of God j^{m}v^{c} fourscoir fyvetene yeir, and farder quhill his Hienes with avise of his said Secreit Counsell tak farder ordour heiranent, to induir, as the saidis Countesse and Erll of Mar and thair souirties foirsaidis will ansuer to his Majestie upoun thair honouris and under the panis of thair lyffis and heretage. And the saidis Dame Annabell Murray, Countesse of Mar, and Johnne, Erll of Mar, hir sone, oblissit thame selffis and thair uther particuler freindis undersubscrivand to warrand, freith, releve and keip skaithles the saidis cautioneris and thair airis of this present act and obligatioun and of all pane, skaith and danger that thay or ony of thame sall happin to sustene thairthrow. *Signed*, Mar; Mortoun; Drybruch; S^{r} Johne Murray off Tullibardine, kny^{t}; Drummond; A. Cambuskenneth; Archibald Sterling of Keir, kny^{t}; J. Seytoun of Tulibodye; Robert Galbraith of Culcreuch; George Buchquhanan of y^{t} Ilk, kny^{t}; James Schaw of Sauchy; Jhone Murray of Tuchadam; James Colvill of Est Veimes; Richart Brisbane of Bischoptoun; James Forester, aperant of Garden; William Cwnynghame of

Polmeis; Walt^r Lekkie of yat ilk; Robert Murray of Abircarny; Robert Bruce of Clakmannan; Williame Mentethe of the Karse; Jhone Cunynghame of Drumquhassell; James Foulis of Colinton; J. Levingston young^r of Donypace. *Copy.*

1593 [-4], February.—The tables* laitlie erectit sen the Princes birth, servit furth of the Court kitching, as efter followis:—

The dames of honour table quhairat sittis—

The Lady Mar, elder and younger.
My Lady Mortoun.
The Lady Dudhope.
The Lady Clackmannane,
The Lady Abircairny.
The Lady Cambuskynneth.
The lait Justice Clerkis wyff.

} In number aucht persouns in ordiner by extraordiner.

Denner and supper—viij b. in ordiner of aill, 7 g., and for toistis trinsch bread and sayes—iij b.

To thair disiones, collatiounis and efternoneis, sour breid 3. aill—1 g.

Wyne, denner, supper efternone, and collatioun—iij quartis in ordiner by extraordiner.

Meitt to this Table.

On the flesch day to the first service, ane peis beiff, tua peis sottin muttoun, ane bruilyeit foull, with sex disch of pottage. Thair secund service, xij disch roist, at the Master Houshaldis discretioun.

The fisch day, xij disch to the first service, viz., plumdames, rys, butter, eggis, fryit toisteis, milk and breid, speckit peis, oisteris, greine kaili, and failyeing of ane soirt to be supplieit with ane uther. The secund service, aucht disch as the seasoun yeildis, and to thair desertis, eggis, raisings, confectis, and aippillis, viij disch.

The personis appointit to serve this table and eit on thair restis:—

James Ogilvie, merschall.

David Lennox, yschear, with his auld tua servantis of my auld Lady Maris, ane servand of my young Lady Maris, ane of the pantrie, and ane of the wyne sellar, and ane of the ailsellar, with four servaris to beir thair meitt, in numer xiij personis.

Breid. . . . . xiij b.

Aill . . . . . j gallon, ij quartis, pynt.

Thair disiones, ane peis beiff, ane peis muttoun, ane disch collopis, breid iij, aill . . . quart, pynt.

* This table was erectit the xix day of Februar, 1593.

The Mistris Nureis Table.

The Mistris nureis selff.

The four rokkeris—to wit, Margarit Kynross, Jonet Bruce, Margarit Cunninghame, and Heleine Stewart.

Barbara Murray, keipare of the Princes coffer and claithis, and Elspeth Crummy, semister, in numer vij personis. To this table the first service on the flesche day, ane peis beiff, ane bruilyeit fouli, ane peis sottin muttoun, and four disch pottage. To thair secund service, thre peis roist, at the Master Houshaldis discretioun.

Breid, vij b. Aill, j galloun.

Thair disione ane peis beiff, ane peis muttoun.

Breid . . . iij b. aill . . . . quart.

Thair efternone and collatioun . . . ij quartis aill.

*The Doctor and Medicioneris Table.**

Doctor Mairteine.

Mr. Gilbert Moncreiff.

Gilbert Prymrois, chirurgiane,

and Alexander Barclay, ypothicar,

and thair four servandis.

To thair disiones ane peis beiff, ane peis muttoun.

breid . . ij b., aill . . . quart; wyne . . pynt.

Denner and supper aucht breid. Thair first service, ane peis beiff, ane peis muttoun, a bruilyeit foull, four disch pottage.

Thair secund service, four peis roist, be discretioun.

Wyne, denner, supper, and collatioun—ij quartis pynt, and aill. . . . 1 galloun.

The Meidwyff and other tua Cummeris.†

Thair disione, ane peis beiff, ane peis muttoun,

Breid . . ij, aill . . j quart, wyne . . j pynt.

To thair denner and supper—vj pece meitt.

Aill . . . iij quartis pynt, breid . . . iij b.

To thair collatioun—Aill, j quart.

1594—Licence by King James the Sixth to John, Earl of Mar, and his servants and proper dependants to remain at home from the present expedition to the north against certain rebels and conspirators against the King and kingdom and the true religion professed within the same, in respect that the King and Council had commited to his care and keeping the person of the Prince. *Subscribed* James R., and *countersigned by* J. T. Cancllrius, Blantyre and Neubotle.

* The Doctoris Table was erectit the tent day of Februar, 1593.

† This table was erectit the aucht day of Februar, 1593.

HOLOGRAPH LETTER FROM KING JAMES to the EARL OF MAR.

1594, September 11.—Because, Milorde, youre house hes bene sa honest to my forebearis, youre self had the honour to be brocht up with me, sensyne mareid my aunte and gottin the keiping of my tua greatest strenthis, and (quhilke is maist of all) of my eldest and only sonne, I thinke of reason I can lippin maire to nane and nane can be maire obleist to me; and thairfore being utterlie wearied and ashamed of the misgouvernement of the euntrey for lakke of concurrence of noblemen on the ane pairt, and of my extreame uante on the other pairt, throuch the mishandling of my rentis be my cairless and greedie officairis that intromettis thairwith, I ame forcit to burdein you to travell with sikke noblemen as I have allreadie namid unto yow, that they walde bestow thaire painis and presence for putting me in sum bettir estate, and that ye walde take thaire promesis to cum to Edinburgh the tuentie of November next, and remaine quhill thay see me putt to sum certaintie in baith thir pointis, and that thay may knau that as I ame na maire a minoure sa I aprehend deiplie the straitis I ame castin in, and ame resolvid to follou constantlie thaire counsaill, bake thaire conclusionis, and thankefullie (quhen evir occasion sall serve) requyte thaire traivellis, I have baith writtin and subscryvid this youre warrande with my hande at Halyrudehouse the xi of September, 1594. JAMES R.

ORDER BY THE KING AND QUEEN to the EARL OF MAR TO OPEN THE JEWEL CHEST, ETC.

1594, September 19. Holyroodhouse—REX.—Johnne, Erle of Mar, Captane of our Castell of Edinburgh, we greit yow weill. It is our will and we command yow that following our other warrand gevin to our trusty counsallour, Sir Williame Keith of Delneis, knycht, ye resave the key of the coffer of our jowellis, opin the same, tak out the buist of gold contenyng our annuitie of the United Estatis, and delyver the same to the said Sir Williame, to be kepit be him according to his gift, as ye will ansuer to us; kepin this present for your warrand, subscryvit be our hand at Halyruidhous, the xix day of September, 1594. JAMES R., ANNA R.; *countersigned by* J. T. Canĉllrius, Lynclouden, J. Cokburne, and Alex. Houm.

HOLOGRAPH LETTER FROM KING JAMES THE SIXTH to the EARL OF MAR.

1595, July 24. Stirling.—Milorde of Mar. Because in the suretie of my sonne consistis my suretie and that I have concreditid unto you the chairge of his keiping upon the trust I have of youre honestie, this present thairfore sall be ane warrande unto you not to delyver him out of youre handis except

I commande you with my awin mouth, and being in sikke cumpanie as I my self sall best lyke of, otheruayes not to delyver him for any chairge or message that can cum from me. And in kayce God call me at any tyme that nather for Quene nor Estaites pleasure ye delyver him quhill he be auchtein yeiris of age and that he commande you himself. At Stirling the xxiiij of Julie, 1595. JAMES R.

1595, October, 20. Linlithgow.—Warrant by King James the Sixth for the arrest of William Levinstoun, son of the Laird of Jerveswod; Patrick Bruce, son of Thomas Bruce in Larberscheills; Robert Levingstoun, brother of Laird Levingstonn in Galloway; George Levingstoun, son of John Levingstoun in Daldurs, and Archibald Tower, servitor to Airth, for the murder of David Forestar, bailie and burgess of Stirling, and for which they are fugitives and excommunicated *Signed*, JAMMS R. S.R.C. Sec^rius.

COMMISSION BY KING JAMES THE SIXTH to the EARL OF MAR AS CUSTODIER OF THE PRINCE.

1595. REX.—Forsamekle as we haveing committit the custodie and keiping of our darrest sone, the Prince, to our rycht traist cousing, Johnne, Erle of Mar, this yeir bygane, quha hes maist faithfullie dischargeit himself of his dewtie thairin to oure contentment, and willing that his said charge sall continew this nixt yeir fourescoir fyftene yeiris and forder durin our will, thairfoir to have grantit, gevin and disponit to the said Johne, Earle of Mar, the sowme of ten thowsand pundis for the interteynement of our darrest sone, his maist nobill persoun and hous, the said yeir lxxx fyftene, and for sure payment thairof have assignit and be the tennour heirof assignis to the said Johne, Erle of Mar, the sowme of fyve thowsand gudlingis disponit in yeirlie gift to our said darrest sone be the Estaitis of the Law Cuntreyis; quhilk gift we ordane and commandis our familiare servitour, Sir William Keyth of , knight, keipare thairof, to delywer the samyn to the said Johnne, Erle of Mar, to be keipit be him for his securitie, as for the sowme of fyve thowsand pundis; and for the rest of the said sowme extending to uther fyve thowsand pundis we have assignit and be the tennour heirof, assignis the sowme of fyve houndreth pundis Striveling to be payit to the said Erle of the rediest of the annuytie of the fourescoir fyftene yeir quhilk we have payit to ws yeirlie furth of the realme of Ingland, ordaning the ressavearis and intromettoris thairwith to mak him thankfull payment of the samyn, quhilk salbe thankfullie allowit to thame, and that in compleit payment of the said sowme of ten thowsand pund assignit to the said Erle for interteynement of our said darrest sone, the Prince, and his hous, the said lxxxv. (*sic*) yeir. Be thir presentis subscryvit with our hand at . . . . . the . . . . . day of . . . j^m v^c and lxxx. . . . yeiris. JAMES R.

DECLARATION BY THE MASTER OF ELPHINSTONE FOR SATISFACTION OF THE EARL OF MAR.

c. 1595.—"Being sa laitlie cum of your lordschipis hous I am sorie frome my hairt that your lordschip upoun ony consavit suspicioun of my privitie or allowance of David Forestares slauchter, sould appeir to bear to me ony malice or evill will." For before God, and upon his honour and conscience he declares that he is altogether innocent thereof, and is willing to submit to trial. As to the slaughter of Wanles, though it was done in hot blood as following upon the recent slaughter of Robert Bruce, not knowing that he belonged to his lordship, he offers for himself and for all who were upon the field that day with him to make such assythement to the widow and children as any indifferent friends shall think equitable. *Signed*, A. M. ELPHINSTOUN.

c. 1595.—Offers by the Laird of Dunipace to the Earl of Mar. He declares that he is most innocent of the slaughter of David Forestare, and offers himself for trial in this matter, providid his lordship is not directly pursuer. Further, he offers to retire to any part of the kingdome, or out of it altogether, or to do any other thing that his lordship's honourable friends may judge reasonable for assuaging his lordship's grief over this event; protesting, however, that his offers be not held to imply his guilt of that unhappy slaughter, but only his regard for the Earl's satisfaction.

LORD LIVINGSTONE'S DECLARATION to the EARL OF MAR.

c. 1595.—Forsamekill as thair hes bene auld friendship, lowe and kyndness betuix our houses till our tymes quhilk I alwayes hawe bene and am maist willing sall continew, althocht that sum things hath laitlie occurrit quhairby it appeiris your lordschip hes takin sum suspicioun of offence on my part, quhairanent I declair in presens of God and his Majestie that I wes nevir upoun ony consultationis or devyses to harme your lordschip in honour, persoun or freindis, that if any one had pressed him to this he would have refused; and that if the Earl is able to lay any thing to his charge, he will submit the same to the judgment of his Majesty and their honourable friends. If the Earl has any capital charge against any of his friends, he will not protect them against their just trial; and he requires that the Earl grant the like declaration and assistance wherein he (Lord Livingstone) and his friends may have cause to complain.

1596, April 15. Stirling Castle.—Warrant signed by King James the Sixth to John Andro, Clerk of the Privy Council, to register a Bond of Assurance granted at his Majesty's desire by John, Earl of Mar, and Alexander Forrester of Garden, to Alexander, Lord Livingstoun, and Sir Alexander Bruce of

See Calendar of State Papers, vol. i., p. 701. "Mar's approaching day of law with Dunipace." December, 1595.

Airthe, and their kin and friends, with the special declaration that the said Laird of Garden is not to be responsible for the Lairds of Corstorphine and Strathhenrie, James and David Forrester, brothers of the deceased David Forrester of Logie, Duncan Forrester of Culmoir and his sons, and Alexander Forrester, son of Duncan Forrester in Kipmad, further than the laws of the country and the general bond require.

THE MINISTERS OF EDINBURGH to the EARL OF MAR.

1596, December 18. Edinburgh.—Pleis your lordship, we dout not bot ye have hard or now the effect of this lang conference that hes bene betwixt his Majestie and us, mony commoningis and als mony brekis. They tuik thair vantage evir under traist, quhill at the last the malice of sum counsallouris is cumit to this that the stipendis of the ministrie ar dischargit, and the commissionaris of the Generall Assemblie ar put af the towne, Maister David Blak convict of treasoun and put in ward, and we be ane act alreaddy set downe appointed to suffer the lyk. And now last of all undir commoning ane great nowmer of our flok quho in our defence stuid, ar chargit to gang af the towne, sua that the people, animat na dout be the word and motioun of Godis Spirit tuik armes, and war nocht we stayed thair faird, thay had licht, na dout, upoun mony of the counsallouris. Alwayis the godlie baronis with utheris gentlemen that wer in the towne have convenit thame selffis and taiken upoun thame the patrocinie of the Kirk and hir caus. They laik ane heid, ane speciall nobleman to countenance the mater, and with ane consent hes maid chois of your lordship. And seing God hes gevin your lordship this honnour, we could not do na les then follow his calling and mak it knawin to you, that with all convenient diligence your lordship micht cum heir and utter your affectioun to the gude caus and ressave the honnour that is offerit to yow. Quhilk we dout not bot your lordship will do. In the mean tyme we refer your lordship to the protectioun of God. Edinburgh this 18th of December, 1596. Your lordshipis to be commandit in God.

Mr. Roᵗ. Bruice.
Mr. Waltir Balcâquell.
Mr. Roᵇ. Rollok.

HOLOGRAPH LETTER FROM KING JAMES THE SIXTH to THE LAIRD OF JOHNTONE.

1597, July 5. Falkland.—Jonstone,—Faill not after the sicht heirof to concurre with all diligence with the Erle of Marr or Sir Thomas Areskine for the apprehension and sure convoie of Patrike Bruce, and suffer nane of the cuntrey to ryse or make impediment thairunto as ye will ansoure to me. Fairueill. From Falkelande, the v of Julie, 1597. JAMES R.

1597.—Precept freeing Sir James Admestoun of Duntreth, knight, of entering himself in ward on account of "the tumult and uproare rased within oure burgh of Edinburgh upon the

sevintene day of December last," for which he had been charged to ward in the Castle Doun of Menteth, provided he find caution to appear before the Council on ten days' warning. *Signed*, JAMES R.

1598, April 21. Gastonhall.—Robert Bruce of Clackmannan, to John, Earl of Mar, reminding him of a promise he had made to his lordship in Stervilling, "That sa lang as ane Bruce was not in the feild or thair blwd spiltt, I suld tak pairt with your lordship in that matter." Now one of his innocent kinsmen had been slain, and his whole friends had urged him to seek redress, which he could not do till first he had freed himself of this promise. He challenges the Earl with casting him off, by (1) taking from him the kindly possession of his teind; (2) maintaining the writer's brother James in the molestation of his tenants, and (3) protecting a man who had been convict in the writer's court of theft; evidences sufficient of the Earl's unfriendly disposition towards him, for which he had given no occasion. It was not these things, however, but the "innocent slauchter" of his friend that moved him to take this step, though he is informed that the Earl knows nothing of it, and that none of his people were present at it. *Signed*, ROBERT BRUCE of Clackmanane.

KING JAMES THE SIXTH TO THE EARL OF MAR AND THE ABBOT OF KINLOSS, AMBASSADORS AT THE ENGLISH COURT.

1601, February 5. Holyroodhouse.—Right trustie cousin and counsellour, we grete you heartely well. Since your departure conforme to our direction given to you for removing of these jelosies arising upoun our alleaged dealing with forreyne princes, speciallie with the Pope and King of Spayne, we have caused by so many of our Counsell as are best affected in this matter try and examyne Mr. Edward Drummond, who was alleaged to have caryed from us commission to the Pope and to have made particulare offers to him concerning our sone, the Prince, the Castle of Edinbroughe, and sute of money for entertyning a guarde, whereupoun Sir Henry Broncard on the Queenes behalfe expostulated with us; of whose deposition we have sent you herewith the just coppie. Wee have likewise caused examyn Poury Ogilvie whoe was alleadged to have used on our behalfe a commission to the King of Spayne, whose deposition you shall also receave. And because for the present we have no other adminicles whereby the verity of their depositions may be impugned, and we perswade our selves that the Queenes Counsell there wolde not have taken so greate holde of these maters except they had had some warrand, after you have made the Queene or suche as shee shall appoynt acquainted with their depositions, you shall crave them to give you suche groundis and testimonyes as they have, whereby their declarations may be improoved, and the contrary being verified they may receave condigne punishement according to the quality of their desert. For whiche effect we have committed Poury Ogilvy to warde

within our Castle of Edinburgh; and because we had no certeyne accusation against Mr. Edward Drummond we have committed him to warde within his mother's house under caution of great sumes to appeare before us and our Counsayle as often as he shalbe required, and in no wise to depairte oute of our realme withoute licence. It appeares to [us] verie straunge that suche jealousies should be fostered and no certeyne authoris knowen, and we thinke that our bypast cariage in all our actions hathe deserved that we should be friendlie satisfyed, at least by detecting the authors, that if they be men of credit and their delations be surely warranted, paynes may be irrogated to the offenders; and if maliciouslie they be contrived to be a disquieting of the amity betwixte our states, they may be punished or at least knowen for seditious enemyes of the publick repose, and we cleered of so vile imputations; from whiche wee have alwayes bene so farre as we never medled in any course with whatsoever prince whiche we wold not have knowen to all the worlde. And althoughe the frends of Poury Ogilvy have made greate sute to us that he shoulde be at libertie under pecuniall paines, yet we have refused, because the said Sir Henry Broncard amongst others his expostulations alledged that when suche persons as had abused our auctority being oute of the contrey returned home, their heads were clapte, we have made him fast till tryall may be had, if he have merited any more greevous punishment, whiche he shall not escape if in any case he be guilty. Wherein we wolde wishe them to keepe the like severity bothe in tryall and punishement of suche as by surmeses and calumnyes foster suche jealosies, whereof the ende, if remedy be not found, will breede more displeasour. Yow shall deale as you finde opportunity that we may have certainty that nothing be done in prejudice of our title, and observe carefully that under pretext of discoverie of this action no stuffe be forged to our disadvantage. The rest to your discretion and our former instructions. Committis you to God. Holyroodhouse the fifth of Februarie, 1601. *Signed*, James R.

Addressed:—To our right trustie and welbeloved cousin and counsellour the Earle of Mar and Abbot of Kinlosse, our ambassadors at the Court of England.

King James the Sixth to the Earl of Mar.

1601, April 9. Linlithgow.—Richt traist cousing and counsallour, we greit yow hertlie wele. We have ressavit your letter and sene your uther letter send to our Secretare, and according to our accustumat forme used toward our ambassadouris in sic great and wechtie materis of estate, have writtin your ansuer with our awin hand. Lykeas for the mair haistie dispasche of this berare (lang luikit for be yow) in absence of our Secretar (quher we ar presentlie) we have causit writ ansuer concerning the mater of the Bordour. It appeiris in the hinderend of your letter anent the hunting accident that the Quene and Counsale seame verray far to mistak that mater, as lykvise that your selffis hes mistaiken the same. For

compensatioun wes nevir promeist to be admittit be us; bot, be the contrair, we craved the entrie of the Englische officiaris for compensatioun of the entrie of our officiaris to thame for lesse faultis, these that our officiaris tuke the revendge upoun being bot bas rascall thevis; quhairas thay that wer murtherit, woundit and taiken prissoneris at that hunting, wer gentilmen of honnest rankis and houssis, being giltie of na cryme to England nor nevir afoir complenit upoun. We wer never sa unjust towards our awin subjectis as to tak Englandis, spairing and not punischeing of sum of thair bad subjectis to be a compensatioun for sa great wrangis committit on our gude subjectis, specialie that being done be thair officiaris and avowitlie on day licht, betwixt the quhilk and ony doing of our baid thevis can be na proportioun. Thairfoir, as of befoir, lett that great complaint be renewit, and the Quene and Counsale be put in remembrance quherat that mater left, quhilk wes not upoun any sic termes of compensatioun, as is wranguslie alledged be thame, bot becaus eftir you had anis for a fassoun wairdit Mr. Phenick and Hary Wothingtoun in frie warde quhill forder tryell, we and thay could not aggrie upoun the forme of the said tryell, bot efter lang disputatioun it deit out on thair parte upoun that point. In quhilk respect ye sall as of befoir urge justice upoun that point, quhilk the Quene promeist to us be hir awin letter, as is aggreable to equitie and justice. Sua be not content to be satisfeit with sic forged and sklender excuisses; assuiring the Quene and Counsale as be oure letters and ambassadors we have oft done afoir, that gif justice be not now done in that earand, the gentilmen quhom we have quhill this tyme deteanit from thair awin revendge in hoip of justice, will now becum dispairit, and luiking na mair for redresse, it will not langer ly in our pouer to stay thame from mending thame selffis. Thus we commit yow in Godis protectioun. From Linlythgw, the ix of Aprile, 1601. *Signed*, James R.

We have writtin to the Lord of Roxburcht and Lard of Johnstoun according to the tennour of the former part of your letter.

Addressed:—To our richt traist cousing and counsallour the Erll of Mar, our Ambassadour, presentlie at Londoun.

1601.—Licence to Mr. Robert Bruce, minister, to return to Scotland and resort to any part thereof save Edinburgh, and miles thereabout, dispensing with all acts made in the contrary. *Signed*, James R.

1601.—Order to the Captain and Constable of the Castle of Edinburgh to deliver to Ludovick, Duke of Lennox, tua pareis falconis and ane moyen with thair bullat and furnitour, to be cariet in his schip to France. *Signed*, James R.

The Marquis of Hamilton to the Earl of Mar.

1602, March 17. Hamilton.—My Lord and weilbeloveit gossope, efter my verie hartly commendatioun. I resavit your lordshipis letter and persavis thairby the injurie laitlie done to

yow be my cousing, yong James Hamiltoun, in hoching of your oxin, quhairof I knew nathing befoir the cuming of your lordshipis letter in my handis; and gif the yong man had maid me aquent heirwith befoir the doing of the twrne and socht my consall thairinto, I vald have be all meaneis dissuadit him fra fallowing furth of any sic course. And now seing it proceidit by my knawledg I vill na vay fortifie nor maintein his wrangus doingis, for your lordship knawis how far I mislyk al sort of wrangis or oppressionis; meikill mair vill I mislyk ony vrang done to yow. Thair is nane, nather Hammiltoun nor uther, quha vill preise to do vrang to your lordship quhom I vill fortifie, bot rather vil assist yow aganeis ony quhatsumever in Scotland, his Majestie only being exceptit. Sa my hartly commendationis rememberit to my guid lady, your bedfallow, I commit yow and hir baith to God his halie protectioun. Hamiltoun, the xvij of Martch, 1602. Your lordshipis assurit loving gossop to the utirmest of my pouar. *Signed*, HAMILTON.

Addressed:—To my Lord and weilbeloveit gossope, the Earle of Mar.

KING JAMES THE SIXTH to the EARL OF MAR.

1603, May 14. Greenwich.—JAMES R.—Right traist cousing and counsallour, we great you hertlie wele. Having both be our dearest bedfellow the Quenes letter and report of Sir George Douglas hard of that mater laitlie fallin out at Sterling, as we have caryed our selff in sic incidentis, sua trust we that ye will not now utherwayes then ye have hithertillis done, stand upoun any ceremonyes, bot conforme your selff to quhatsumevir may content us or be aggreable to our pleasour, quhilk in this cais we have directed our dearest cousing and counsallour, the Duke of Lennox, particularlie to acquent you with, quhom ye sall credeit, and to quhais advise to be deliverit to you in our name we dout not bot ye will alwayes conforme your selff, as ye have done heretofoir in all things belanging us. And sua remitting our forder mynd to the sufficiencie of the bearer, we commit you to God. From our Court of Greinwiche the xiiij[th] of May, 1603.

KING JAMES THE SIXTH to the EARL OF MAR

1603, May 17. Greenwich.—JAMES R.—Right trusty and welbeloved cousin and counsellour, wee greete yow right hartely well. Having understood as well by your awin declaration made to the Counsell, which yee desyred should by them be signified unto us, as by your owne letter upon your dewty and allegeance, that some of our subjectes had an intention to have taken our dearest sone, the Prince, if he had come from Striveling to the Torwood; and considering the same to be a purpose of no litle consequence which can not be let passe, but meriting dew tryall and condigne punishment, whiche cannot be well prosequted except yee come hether in persone to give us up the names of the persons who should have bene of the said conspiracy that we may thereafter proceede in their tryall; it is therefor our will

that yee faill not, all excuses sette aside, to addresse your selfe hether in all possible diligence to the effect aforesaid. For seing yee have sette downe the accusation so cleerly wee intende to procede with no lesse care in the tryall and punishment thereof. As for our letter sent by yow to our dearest bedfellow, although yow have done no thing in the not delyvery thereof but according to our direction, yet since the contents thereof are not of so greate consequence as they are particulare and not fitte to come in every man's handis, it is our will that for her better satisfaction ye delyver the same to any of the Counsell to be given to her and disposed upon as she pleaseth in case she continew in that wilfulnes, as she will not heare your credite nor receave the same from your owen handes. In all other thinges concerning the transporting of our sone yee shall dispose your selfe (according as our cou'sin the Duke of Lennox will particularely acquaint yow) to that whiche is our plesour; and advise with him carefully upon our honour and his surety. To whose sufficiency remitting the rest and looking for yow here in all haste wee bid yow farewell. From our Pallace of Grenewich the xvijth of Maye, 1603. *Subscribed,* J. Elphinston.

Addressed:—To our right trusty and welbeloved cousin and counsellour, the Earle of Mar.

Discharge by King James the Sixth to John, Earl of Mar and others anent the Custody of the Prince.

1603, May 23. James R.—Forsamekle as it hes pleasit the Kingis Majestie to direct his Hienes richt traist cousing and counsallour, Johne, Erle of Mar, Lord Erskin, etc., to sie the persoun of his dearest sonne, the Prince of Walis, savelie convoyit to his presence in company of his Hienes dearest bedfellow, the Quene, his mother, and that be speciall act of Counsale sindrie noblemen, baronis and utheris, freindis and dependaris upon his Hienes cousing foresaid, standis bound and obleist as cautioneris and souerties for his loyall and honorable discharge of the cair and credite committed to him be his Majestie of the persoun of the said Prince, his custodie and educatioun during his tender yeiris, quhilk be his present transport commandit be his Majestie may in gude reasoun expyre and be dischargit for the pairt of the saidis cautioneris; thairfore his Hienes hes exonerit, relevit and dischargit and be the tennour of this present act exoneris, relevis and discharges all and sindrie the saidis noblemen, baronis and utheris cautioneris for the said Erle contenit in the said act, of their said band and obligatioun, and quhatsumever clause, pane or danger thairin specifeit, acknawlegeing the haill content thairof to be maist honorablie and faithfullie performit be his said cousing in everie poinct, and declaring in that respect the force and strenth thairof in sa farre as it tuichis or may concerne his saidis cautioneris or any of thame, thair airis or successouris, to be expyrit and extinct, and thame and every ane of thame to be fred and relevit thairof for now and ever, the said Erle resting alwayes in his persoun bound and obleist be vertew of the foresaid act

upoun his honour and fidelitie to continew his cairfull and vigilant attendance upoun the persoun of the Prince, his preservatioun and save convoy in company of the Quene, his dearest mother, till he presente him in savetie to his Majestie; at the quhilk tyme his Hienes promittis in his princelie word to sie him gratifeit with a condigne rememberance to him and his in a perpetuall recorde of his said service; and ordanis this present to be registrat in the buikis of Secreit Counsale *ad futuram rei memoriam.*

KING JAMES THE SIXTH to JOHN, EARL OF MAR. (HOLOGRAPH.)

1604.—Milorde, ye remember at youre last pairting from me that I reccomendit youre cousin of Fentons earande to youre curtesie. And althoch I hoape that rememberance shall be sufficient for his turne, yett because I persaved ye was not then resolved quhat speciall ende ye wolde make thairin, and that the season of the yeire drawis nou on quhairin of necessitie it must be at a pointe, I have thocht goode to directe the bearare hierof, my servande and your freinde, to be a remembrancer to you in that earande, quhom I have instructid to tell you fullie my mynde thairin, assuring myself that in dealing with this pairtie ye will not only considder that he is one of youre owin neerest kinsmen and that he is one of my oldest servants, and the sonne of so honest a father, but especiallie, and above all, that he was one of thaime that so happelie and honorablie preserved his lyfe quhome in ye breathe under God, quho must ever requyte with thankefulnes those that use courteouslie any of thaime, as, if he waire not a king he woulde be thaire seconde against any of thaire adversaires. And thus wishing you a shorte and a fortunate Parliament thaire for ane antidote to oure fashouse and frowarde Parliement heir I bidde you heirtelie fairwell. JAMES R.

Addressed:—To our rycht trustie and weilbelowit cousing and counseller, the Erle of Mare. Sealed with a small seal, apparently that of Queen Elizabeth.

KING HENRY THE FOURTH OF FRANCE to JOHN, EARL OF MAR.

c. 1605, October 30. Fountainbleau.—Mr. le Conte, Je say que nous afectyonnes tellemant le contantemant et le byen des aferes du Roy d'Angleterre, mon bon frere, que vous luy conseylleres tousyours de conserver et antretenyr une amytyá sy antyen et parfete quest celle que nous avous contractée et juree ansamble, non à presant seullemant, mes de tout tams, toutesfoys come cest une des choses de ce monde que jafectyonne le plus pour toutes sortes de consyderasyons non moyns utylles et hónorables à lun que à lautre. Yl faut par la presant que je nous prye de contynuer a fere pour ce regard les devoyrs et bons ofyces que le S^r^ de Beaumont, mon ambassadeur, ma esayt y avoyr esté par vous contrybues jusques à presant, et je partycyperay au gré que mondyt bon frere vous au saura pour le reconytre avec luy quand locasyon sau presentera ayusy que nous dyra mondit ambassadeur. Je prye Dieu, Mr. le Conte, quyl nous ayt au sa saynte et dygne garde. Ce xxx^me^ Octobre, a Fountenebleau. *Signed*, HENRY.

LORD NORTHAMPTON to the EARL OF MAR.

1607, November 22. I shall not neede to fear any surfeite of longe wrytinge, most trew and noble 20 when my constitution and affection at the first accident that eyther soundes the name of 30 ore concernes his service not only digestes crudities but gives a fresh appetite. I neede no other motive for my encouragement to adventure my best wares in this shippe than that the pilotes name is Erskyne and as littill remoid from your selfe in honor as in consanginuity. I shall not neede to repeate any thinge that is written to 30, bycause I thinke his Majesty will impart them at his best leysure. I will only remembere some particulers which I coulde not insert thear for fear of spinninge out my lynes into great length, and therfor it may please your lordship to supplye this as it wear out of a seconde infusion.

My Lord of Shrowsbury, of whose idoles sublimation ore at the least of a purpose to make hir higher by as manie steppes as ascende to the skaffolde if she followe some mennes councelles, hath bere despreately sicke, not only of the strangury, but withall of such frurres simptomaticall out of smarte and agony in so much as it is not possible that he shoulde live longe in this torment if it contynewe, for the necke of the bladder is so rawe as it should appere by excoriation (which is the disease whereof Hatton the Chancellor deceasid) as onlesse they can by lenitives diminishe some part of that acrimony which bringes on those frurres and enforcith him to rore at evry avoydance, which is every hower, violenta cannot be perpetua. Nowe that the Quine hath satisfied the world in callinge into hir Councell some of the nobilitie that is truly ancient, I thinke she wolde be gladde that he should give way to another, for since his admission, she neyther askid his advise in any thinge nor ever callid him into any cause of weyht, whereof befor his sickenesse he both complayned bravely and mutined. He hath marryed a daughter to the nephowe of my Lorde of Kente, but without addition eyther of ability ore allyas; for beside that the younge jintilman is of my Lord Sempiles howse and as sillye as his father in lawe is shrewde, it is certaine also that my Lord of Kente will not participate with those inventions and practises. One of the chefest causis that inducid my Lady of Shrewsbury to desire so much the callinge of hir husband into Councell was bycause she thought that place wold cleer him of contagion and encourage frendes to showe their affectiones more freely without feare. But I doe assure your Lordship they ar lesse respectid then before, and holde it more dangerouse to adheare to a figure with a fraction then to a cipher in his singularity.

The Quines suspicion of the Dukes arrivall at the very rumpe of a Parliament is somewhat qualefied, though not wholly quenchid by the Dukes forbearinge to speake any thinge from the Kinge to disquiet hir. But she is still infinitely offendid with the very rumor, both in England and advertised from forrain partes that such a mistery was lookid for, and that the people speake as freely by this occasion as if the titele had bene achivd and establishement agreed uppon.

The Master of Gray writes to 10 ernestely that the Duke may be royally entertayned by hir Majesty and much favored by 10 himselfe, bycause he sais that 30 is enclyned ever to valewe those chepely that are best able to doe him service heere; wherefor he doutes not but if the Duke may be sent home with the favor of the Quene he shall be better able to blanke some that have eclipsid him, which is a thinge, as he saies, that many worthy men desire that wold be more industriouse and ready to serve the Quene, as he saies, than 20 and all his followers. This Councell unto 10, as he sais, proceedes not out of anie particuler but out of speciall affection to him and a greate desire that he maie be rather fittid with a frende whom the State of Scotland loves and honores, than with such as he must choose, if he will choose accordinge to the flourishe of the present time as they hate and envye. By this it apperes that none of them have yet any trewe light or lykely proufe of any thinge, which pleasith 10 exceidingly. Thus farre theyr practise serves our turne to descrye theyr mallice, and make 10 see playnly that acording to vowes and promisis he is nobely and soundly dealt withall, and that for wantt of demonstratione, theas active gallantis are forcid to exercise thair nimble wittes in conjectur and prophecy. He procedes a littell furder yet, and wrytes to 10 that 30 speaking with a frende of his should saye that he mervalid that though 20 brought the packettes which he receyvid out of Ingland to his owne handes contynually, yet the Master of Gray receyvinge advertisementis from sondry of his choisest frendes did not deliver them, heruppon, saies Gray, to winne his favour without anie prejudice to your selfe. Because your letter conteynid nothinge unfitte for him to see, I sent him the last letter which I receyvide from yourself which he conceived in very good parte, and, above all, he comendid my intention and endevor, saies Gray, to make a leage betwen you and his Tresorer, which the letter did specify. In conclusion, he adviseth 10 to write some letters to him privately sometime in such a stile as beinge redde by 30, may in diverse degrees doe good both to himself and 10, which is the scope of his industry. All this winde shakes no corne bycause 10 thinkes that poetrie about the packettes that are said to be delivered by 20 to have bene only an artifice to discover by 10 aunser whither anye such convoye wear fixid, ore in case thear wear not to his knowledge, then to stirre up in 10 a stronge and curiouse desire to inquire and discover who they are in Ingland that love 20 with trewe affection. But never was jackedaw so well cousined in his owne schoole poyntes and quiddities, though 10 forbid me to advertise theas particuleres, bycause they are of no great importance to the mayne, and yet he thinkes that any one of theas smalle leakes wolde let in a great deale of water into the vessell of our traffick if the least poynt came to discovery.

Kildar, out of rage that hir grande leake hath had a stoppe, though with all the kyndnesse, caution and consideration that discresion can devise, as befor this you knowe, is almost madd, and challanged 10 to his face as author and contryver of this

inhibition by discoveringe some thinges to 30 as she had imparted hertofor to himself in confidence. Your lordship need not doute but in awnseringe he plaid his masters piece, sometime scoffinge, sometime bravinge hir; wheruppon I causid 9 to speake with hir againe, and so strongly to insiste by way of discourse uppon probable suspicions, ore rather evident demonstrationes of the affection of 10 to 30, as hir idele apprehensiones might spende and vanishe for wante of proufe ore probability to warrant them. After the rownde speech of 10 with hir, she spake with 9 in another stile, ascribinge 10 mallice toward her only to the constancy of hir devotion to 10, but yet she laide downe lykelyhodes of hir precedent imagination that 10 was well affectid to the Kinge, which both hir owne repentance uppon better arguments and 9 reasones satisfied. She was in such a passion out of disdayn, as I assur your lordship, that if she had been discoverid and derectid to the Quene by Cobham, as for a weeke and more the Quenes strange countenance to her gave us all cause to fear, she was resolvid to have accused 10 also with as many probabilities as suspicion and spleen could heape togither, and of running the same course with 30 to the utter ruine of all his best advantagis. For to my owne worthy nephewe, the Lord Thomas Howard, who is her councellor at theas hard streyghtes she threatenid to breake the necke of that weasile (which was hir owne terme) that had disgracid hir, but the particular she told him not. I thinke that I will signifie some parte of thoas proceedinges which I leave to him, and only besech your lordship to present this figure to the wisdome of 30, who will soone perceive what proportion thear is betwen the good that possibly can growe from such a busie body as understandes no secrete of the State, nor so much as ordinary passagis (bycause hir owne sexe dare not speake before hir), and the plunge she puttis the Kinges frendes and affayres to by theas passiones and precipitationes uppon evry accident that troublis hir. She is now put into the vayne of sekinge by good meanes to draw 10 to favor 30, and here we meane to holde hir till the later daye for any good that she shall ever worke by hir endeavour, for I have advisid 10 by this advantage of hir entermeddelinge to make that impression of his respecte to 30, which may wear out those markes which facility had left in hir minde before, and make hir see hir owne idelnesse in ayminge at impossibilities. For, believe it, that she kepith in hir minde a large memoriall of all advantagis by worde or action that may holde those persones in this place in awe that she wolde raygne over.

God be praysid that the Kinges fall did him no more hurt. God sendes thoase warninges to make worthy servantis see how well it becomith them to let him know of what importance theas adventures are, and that this violence in exercise will every daie lesse stande with his owne securitie, with his cuntries good and the grave conceit which the worlde holdis of him. This wear the waie for aspirores and competitores, as one said to Alexander, *In capite orbis litem finiendi.* It wear the nixte meane, as one said

to David, *extinguendi lucernam in Israel.* It wear that error which discresion forbiddes—to carry elixir in a glasse; and I dare undertake my Lord of Shrewsbury wolde have one disease more then he hath yet uppon condition that 30 wolde be still as carelesse of his royall person and of his future state as he hath bene hitherto. But the more eager that suche cockatricis are of like accidentes, the more ought servantis of our stronge affection to quiver and tremble in our very sowles, puttinge His Majestie often in mind of that olde axiome, that *Frustra Neptunum invocat qui bis ad eundem impingit scopulum.* If I wear in the place of admonitoun, and by nature tounge tied, as some are, I doo protest that the like occasion wolde breake the stringe and give utterance.

I beseech your lordship to devise some course, by direction of his Majesty, howe this bad person, Hamilton, may be divertid eternally from hence, for it is he that findinge by his elvishe witte that thear is secrete motion which no mannes eye can sensibly discerne, puttes Kildare in passion with ideas of disgrace, stirres the poor Duke to ambition by suggestinge weathergalles, and infusith reasones and illusiones to Beltrees, who, like an organ, sowndes when the other blowes, acordinge to the motives of his owne unquiete thoughtes, which affecte to be singuler. I have lefte this matter wholly to my letter at this time to worthy 8, who will acquainte His Majesty and 20 with all that hath passid in that mistery.

This Parliament hath no other scope nor object then the subsidy, though it treate of other matters *obiter* but chefely of pluralityes amonge the prestes and monopolyes amonge the layty; though littell, I thinke, will be don, the one pinchinge present possessors, the other paringe and empayringe the prerogative, which the elder the Quene growes, the more she will desire to fortifye. Touchinge succession nothinge propownded in figure, nothinge conceyvid in prejudice, but all myndes as thoroughly perswadid of one truth, one right, one clayme, as if all the states had concludid it.

The Quene, in all hir robes, had fallen the first day of the Parlament if some jentilmen had not sodainly cast themselves under that side that totterid, and supportid hir. The Kinge did fall without harme; the Frenshe King with a great brouse which provis that some great planet in this configuration was precipitate. But God is graciouse *et sapiens dominabitur astris.*

Pardon my scribbelinge, deere lord, for I am infinitely weary. The punishement I wold have layd one the papers themselves and that they maie be burned when you have perusid them. I wish your lordship all happinesse and my selfe in your consorte for so I am sure I should not be very farre from Sol when I wear nixte to Mercury, tyll which happy howere, I rest, nowe and ever, your lordships most affectionatly devotid to love and honour you, 3.

LORD NORTHAMPTON to the EARL OF MAR.

1608, January 1.—Your lordships honorable and kinde salutationes might impose one me either a great imputation of necligence, ore a heavy burdene of unthankefulnesse, if my owne conscience coulde not cleere me thus farre that in my chamber windowe lie yet two letters written to your lordship, and forgetfully left behinde by two jentilmen of Scotland that promised with their owne handes to deliver them. But, worthy lord, make account that till I forget my self, which is the last pointe I can forget, the memory of that constant traye shall never slippe out of my minde, which beinge first begon in a time of hazard, hath since bene strengthenid and secondid with a faire gale of prosperity.

I dare not saie that I thinke the time of your absence from this place verie longe for feare of displeasinge a vertuouse and worthy lady that holdes the time of your aboade in those partes very shorte. But your lordship must give me leave to wishe that you wolde bringe my ladye with you at your nixte returne and so all desires should be contentid and all frindes satisfied.

Though I doubte not but your lordship heares often to your comfort of the constant health and contentid state of our deer Master and his hopefull springe, yet bycause it is a . . .* of musick that sowndes ever cheerefully in your . . . . . eare, I will adde my eccho to those cleere . . . . . amonge us upon that plaine songe are . . . . . with all sortes of harmony.

The world abroade beginnes to binde so . . . . . as it is not unlyke that under the . . . . . lesse Octavius the gates of Janus shall . . . . . as they wear at cominge of the great Messias, that out of mercy to this iland brought our happy monark to raigne over us.

The States that wear so dainty in excepting against the last agreacion from Spaine, as over weake to beare the frames of satisfaction and suretie, which those must raise, begin nowe accepte of it reasonably well with all the faultes, though it be very certain that some of the provinces are somewhat fearfull and unwillinge to proceed befor that the King of Spaines acknowledgement of the soverainty of the States, which standes as yet *sub conditione*, that is in case that upon creatinge all other articles be agreed may be absolute.

The French King lies at the loch like a cunninge fencer seekinge to make his benefite of all eventes, for his endes are, in case the peace be lykely to succed, to draw unto himself the greatest honor of the worke; if warre, then as much as lies in him to cast the burden of the breache upon our master, who, thankes be to God, hath as great judgement to discerne of cunninge as to intercept advantages. It standes that . . . . to treade waryly in the newe pathes wherin . . . . so muche to walke, and therfor our offeac . . . . may fall out

* Here a corner is torn off the letter.

in his owne State, and to . . . . owne of springe whensoever the lampe . . . . goe out he takes no great pleasure . . . . either out with the Spaniard on . . . . fall out so brave a warre befor . . . . force of his Majesty and him self with the States as might seame to the King of Spaine, both a weaker appetite, and a lesse ability to bound upon the backe in case he had an humor to plaie trickes afterward.

The ancient manner of Scotland was as your stories reporte, that the state of a sick mannes disease being set upon the door all passengers resortid thither to make offer of such medecines and receites as had curid others in their knowledge of the same infirmities that . . . . languished and haif dispaired in the same state befor. If your lordship therefor will vouchesafe as well out of your love as of your skille to impart to me the compositione of that receite which drewe you after longe exile to the favor of the Quene, I shall hold it a very great obligatione. For notwithstandinge my longe labor to gather the best simples and to procure the best ingredientes that are to be gottene by the highest compasse of my skille, yet my paines are lost, my hopes are spent, expectation is in the wane, indignation at the fulle, and my conclusion is uncomfortable if not desperat with S. Peter, *Tota nocte laborantes nihil capimus*. I have used mediators of intercession with the Catholikes as undervallwinge my owne merite. I have resortid to the springe heade with the Protestantes as confident in hir generosity but *Damnati non merentur* as the Schoolmen teache. Esau could not obteine favor though he sought it with tears. I meane not an Esau out of deserte, but a forlorne hope by necessity. The disease is like the small poxe, for it will run in a bloude, and at this instant thear is not one of my name, olde or younge, *priusquam fecissent aliquid boni aut mali* that can escape the whippe of this sever chastisment. But God that turneth Princes hartes like mighty rivers can, when it seems good to His providence, redresse theas wronges; and in the mean time I will endure with as great patience as it pleasith the Quene, my mistresse, to mak proufe of my obedience with austerity. God, out of His inestimable grace, hath destined me to so rare, so graciouse and so swete a master, as one graine of his vertewe maie seasone ten gallandes of undeservid indignation.

Your lordship shall finde the Court in the same state touchinge offices wherein you left it at your departure. Hence no lykelyhode of alteration nor transposition in anie kynde. Sutes never went more lowe then at this presant, though the vessell be set one tilte that at the first brochinge sprange more abundantly. The first worke, and that which is nowe most necessary, is to repayre the flawes of bownty with the labor of affection. For the world might judge all men unworthy to live that beinge raisid and rewardid by the goodnesse of the swetest Prince that did ever breath, *ad animæ deliquium*, then see the greatenesse of his harte streightid by enclosures of indigence. A certain selectid number, wherof I am both the rairyest and the

unworthyest, though not least affectionat, have taken this sicke state of our deer master into cure, which will . . . . be so easie nowe that the best herbes are gatherid by which it behovith us to worke. But yet perhappes by peeringe into places that weare coverid with shade from ravenouse desires, we may perhappes picke up so many as may make a sallet for the King, though not sufficient for all thoase that attende with a more eager desire to be satisfied then just and moderate consideration of such ordinary meanes as befor our daies wear reputid more then sufficient to satisfy.

Sir Jhon Fortescue is at this present only said to be deade, for he was deade befor to the State, though so longe as a man can walke in this place he dreames of immortality. Sir Thomas Parry, the late ambassador of Fraunce, havinge receavid by the Quenes favor a reversion of the Placets [is] nowe with the possession therof acordinge to the custome sworne councellour.

I feare that after so longe silence I shall trouble your lordship with another extreeme in tryinge you with so many lines at once, wherfor havinge now emptied my packe of such wares as this fayre doth afforde, I will nowe conclud with my kindest wishes to your lordship, and an ernest sute that my service may be remembrid to your vertuouse and noble lady, to whom I cannot wishe a better fortune and more agreable to hir owne desire then the longe fruition of hir husband which she hath, as he is nowe. . . . . by time, though in the prime of his age, as well as I love him, yet I wold not have sworne for him. God send you both as longe comfort one of another and of those olive buddes that spring from both as you maie be both assured to commaund, your affectionat and constant frend to doo you service, NORTHAMPTONE.

1608, April 1. Stirling.—Testament and Latter Will of John, Earl of Mar, made in view of his departure for England to attend upon the King, where he has been several times visited with great sickness to the danger of his life. He appoints Dame Mary Stewart, Countess of Mar, his wife, tutrix testamentar to their children, and nominates her and them his executors with respect to all his goods, except that which he leaves to his eldest son to remain with the house (among which are the bason and laver, set with mother-of-pearl, which he received as a present from Queen Elizabeth when he was ambassador, and his "fairest jewall," which he got from the King of France). He approves and ratifies the bond made by himself with the Duke of Lennox, his good-brother, anent the security of the lordship of Brechin, made to the said Countess of Mar (who is the Duke's sister). He mentions his second, third, and fourth daughters, Anna, Margaret, and Annabell, for whom he has made provision; and that he has given all his lands in England to his eldest son, with the exception of the Manor and Hundred of Ocham, which he intends for his son James. He leaves to his wife a jewel which he bought at London from Sir William Lerick. He leaves his heart to his master, his sacred Majesty; and to his young

sweet master (Prince Henry) he leaves his eldest son and the rest of his children, whose greatest honour is that they were brought up in house with him. *Copy.*

ORDER FOR THE IMPRISONMENT OF THE MARQUIS OF HUNTLY.

1608, October 11. Edinburgh.—Capitane, constable and keeparis of the Castell of Striviling, you sall ressave George, Marques of Huntlie, in warde within the Castell, thairin to remane upoun his awne expenses ay and whill he be fred and relevit be a warrand and directioun in write frome his Majestie. Wheranent thir presents salbe your warrand. *Signed,* AL. CANCELL[s].

KING JAMES THE SIXTH to the EARL OF MAR.

1609, April 23. Whitehall.—JAMES R.—Right trustie and right weilbeloved couseing and counsellour, we greit yow weill. This resolution which is to be taken with these two excommunicat noblemen wairdeit, requyring to be so weill thought upon, as that neither they be too much trusted upon there too easie yealding, nor yett driven to dispaire by ressaveing no comfort in there conforming, wald be so mannaged as all inconveniences may be prevented. And bicause we have not many in that kingdome bot your self and the Erle of Dounbarr, upon whose advyise in that mater or any other of great moment we will in any sorte much relye, and knowing that his inabilitye, notour to your self, that will not permitt him without great hazard of health to performe his journey of coming hither and returne aganis the Parliament tyme; and we, finding the frequent posteing of the Bishops much censured as a thing unfitting and skandallous for men of there function and place, and utherwayes there comming hither to be hardly misconstrued by those wairdit as if they were the onely cause of there deteyning, and, herewith, presumeing that yow, as haveing the charge and keeping of both the noblemen, by resson of that intelligence which you may have from your servants, there keepers, doe understand many things that no doubt you are most willing and desyrous to imparte unto us, and yett wilbe loath ather to committ to wrytt or communicate the same to any other alywe; wee are, therefore, to desyre you upon ressett hereof, with the first good occasion, to meitt with our right trustie couseing, the Erle of Dounbar, and others of our Counseil, whome we have appointed to be conveynit for that effect, and with them to consult, deliberate and resolve anent there best advyise and counsell what course salbe taken hereafter with these wairdeit excommunicat noblemen, to the effect we may thereupon direct our speciall commandement thereanent to our Counsell there. Wherein since it is a matter tuiching so neare the suirtye of the religion, the quietnes of the church, the peace of the countrey and our service, we know there neads no spurrs to a willing horse. And expecting your presence here, shortly after the dissolving of that your meiting, that so you may in dew tyme

returne with our directions, both for that and other matters to our Parliament (now so neare approaching), from which we would be sorie you should be absent, we bid you in the meane whyle right hartiely farewell. From our Court at Whitehall, the 23 of Aprill, 1609.

Addressed:—To our right trustie and right weilbelovid couseing and councellour, the Earle of Marr.

FRANCIS, EARL OF ERROLL, to KING JAMES THE SIXTH.

c. 1609, May.—May it please your Majestie—In all my extremiteis it wes my dewtie to craif my releiff first at your Hienes; bott fearing my offence hade so commowit your Majestie, I durst not presume at that tyme to lament my estait. Sir, I employit sic of your Hienes Counsall as could best declair my bygane doeingis, in speciall, my Lordis of Mar and Thesaurar, to deall for my releiff at your Majesteis handis, be quhais labouris as yitt, I have ressavit na gryit contentment, bott delaying of time, rather to augment my greiff, nor diminish my dolor. Sir, my onlie desyer in this warld is to be in your Majesteis guid grace, and be my maist humill service to procure my bygane offence to be put in oblivione; craiving with all humilitie your Hienes favor and pardone for quhatsumevir offence I have done against the smallest of your Majesteis thochtis. And as your Hienes benefittis unto me hes bene innumerabill, sa mekill the mair is the rememberance of my offence greivous unto me, being so far bund by nature, bloode and dewtie to be ane of your Majesteis maist affectionat subjectis, as in heart I am, and sall continew sa lang as I leive; beseiking your Majestie to respect my young yeiris, my guid intentione, and present estait, as sall best please your Hienes. I pray God to grant your Majestie mony lang yeiris to regne with all happines to your hearttis desyr. Your Majesteis maist humill and obedient subject and servitour to be commandit to the deathe, ERROLL.

Addressed:—To the Kingis Majestie.

1609, May 25. Greenwich.—JAMES R.—Instructiones to oure right trusty and weilbeloved couseing and counsellour, the Earle of Marr, to be impairted by him to the Marqueis of Huntlye and Earle of Erroll, now presentlie in wairde:—

Whereas, the Marqueis of Huntlye and Earle of Erroll, bothe of thame wardeit and in your keiping, the one in Edinburghe, the other in Striviling Castellis, in there letteris bothe writtin to oure selfes and some otheris heir attending us, do muche insist of there readdye willingnes and desyre to kyithe there dewtye and affectioun unto us in all thinges except in materis of conscience, as thay pretend, whereupoun they wald infer as if thay wer only for there religioun thus persequuted and imprisoned, being very far mistaken in the reasone of this there detentioun, which we culd willinglie haif obscured if the sight of

new smooke, the lyike whereof heirtofoir did bring flame with it, did not now enforce us to unfolde the trew cause of this oure proceiding.

Thay ar not ignorant how these divelishe Jesuites and trafficqueing preistis haveing wroght so far with thame as to caus thame mak a foulle apostasie from the treuth ones professit by thame, did then also induce thame to write letters and send blankes which wer intercepted, and therewith to receave good deid from forrayne princes, for the whiche, by Parliament, thay wer convicted and condamned of heighe treasone, notwithstanding that at that tyme, many thinges in that busynes were hid and obscure, whiche now ar cleare and manifest. Bot when we had bein pleased to grant oure pardoun for that there offence, and therewith a speciall oversight that thay might reduce the forfaltour led aganis thame, we being induced upoun no other reasoun, bot upoun there assured promises that thay sulde conforme thame selfes to the religioun, that, as the falling from the faith wes the ground and occasioun of there failyeing in dewtye, so the caus being taken away, we might stand in no more feare of the effectis to ensew. And when we fand that, notwithstanding there former promeis and outward professioun conjuned therewith, thay did laitlye discover thame selfes to be apostates of new, and so with the dogge returned to there womeit, we culd expect no better from thame nor what the lyke caus had produced befoir. For we haif no reasoun to the contrarye bot that ather upoun this there last apostasie they haif of new sent blankes, or then the want of goode opportunitye to effectuat that turne secreatlye, and the inlaike of choice messingeris, or the distrust of acceptance hes moved thame to forbeare, whereas the presumptioun is infallible that thay ar in all respectis als ready to it as they wer then, the defectioun from the religioun induceing thame thereto at that tyme. And that being the ground of the present suspitioun, which hes justlye moved us for the suirty of the estaite, thus to committ thame, so if at any tyme heirafter it sall ather be spokin or writtin by thame selfes, or objected by any Popishe writer whatsumevir that this there detentioun is for mater of conscience, and so inferr it to be persequutioun for religioun, we will (to there perpetuall reproache and ignominy) publishe to the whole worlde there bypast defectioun from the treuth, being the occasioun and ground of that there foull disloaltye unto us, there naturall soveraigne, and of this there renewed apostasie after oure receaved mercye granted in respect of there promise of conformitye, whereby we ar in a just distrust of any goode dewtye and obedience on there pairt. And therefore, as we haif at greater lenthe dilaited this whole mater unto you, you ar to insist with these tuo noblemen, and advyse thame to take some other better course for freithing thame selfis of this too just suspitition, which we do conceave of there undewtifulnes by this there renewed apostasie, and as we know nothing to the contrarye, bot the same evill weade in thame, hes procured the

lyik unsavorye blossome which it did heirtofoir, howevir as yit undiscovered, so we can do no les for the suirtye of the estaite then to deteyne thame thus in wairde, whome we haif so just caus to suspect, according to that ordinarye proverbe, that those who hes bein ones madd may be weill supponed evir to remaine still madd—speciallye the signes of frenesye continowing. And whatevir succes salbe of your labouris with thame and ather of thame, you ar to adverteise us with speid thereof. Greynewiche, xxvth May, 1609. *Signed*, ALEX[R] HAY.

KING JAMES THE SIXTH to the EARL OF MAR.

1609, May 31. Greenwich.—JAMES R.—Right trustie and right weilbeloved couseing and counsellour, we greit yow hartiely weill. The bypast experience and proofe which we have heretofore had of your forwardnes and affection alwayes in our service is more then sufficient argument to perswade us that there wilbe in yow a reddy willingnes to make us continew that our good opinion of yow. And now, since at this approaching Parliament, there be some things to be moved tending verye much to the creditt of the kingdome and benefitt of the commonwealth, which as the place of our naturall birth we have heretofore and doe still very much love and effect; and that now, at the motioning of these things, men will discover themselves in their owne cullours, and of the superfluitie the hart conteyns the mouth will utter, wherby, no doubt, every man by his behaviour at that tyme will give proofe how he is affected to our service: And therefore, as we have committed the charge and manageing of these affaires particularly to our right trustie couseing and counsellour, the Earle of Dounbar (who by his letters and advertisements heretofore written unto us, hes very much recommended your forward affection in our former services), so we are to desyre yow at this tyme to trust, creditt and conforme your self to that, which he in our name, shall delywer unto yow, or by yow shall desyre to be done; assuring yow that as we sall finde the tryall and proofe of your affection at this tyme, and be thereof certified by the said Earle of Dounbarr, we sall not omitt to tak speciall notice of the same, and be thankful therefore as occasion sall offer. And so we bid yow hartiley farewell. From our Court at Gre[n]witch, the last of Maye, 1609.

Addressed:—To our right trustie and right weilbeloved couseing and counsellour, the Earle of Marr.

KING JAMES THE SIXTH to the EARL OF MAR.

1609, June 7. Greenwich.—JAMES R.—Right trustye and right weilbeloved couseing and counsellour, we greit you weill. At the tyme of your last depairture from hense your haist to be gone for some necessarye occasionis of your owen privatt affairis, and urgeing so muche of your owen depairture caused us to forbeare the recommending unto you some particular thingis which we resolve to exped in the appproaching Parliament. And haveing only signifyed our mynd shortly unto you

concerning the Commissariatis, we thoght best to deferr the imparteing of the rest of these thinges at that tyme as being unwilling to mak a stay of your so necessary haist homewards, and rather maid choice that you suld be acquaynted with oure pleasour and will concerning the same by oure right trustie couseing and counsellour, the Earle of Dumbar, whome we have willed to communicat unto you in presence of the Lord Blantyre and the Collectour of our thriddes of benefices, those materis being of speciall moment and importance for oure service and weill of the countrey: Willing you and these tuo to joyne with the said Earle of Dumbar, and to consult and advyse what is fittest to be done for effectuating and compassing of a goode succes to all suche affairis as we have gevin the said Earle of Dumbar in directioun to prefer to the Parliament. And heirwith we ar to desyre you to joyne with the said Earle in adverting to everye ones cariage in the tyme of this Parliament, that you tuo joyntlie may bothe of you togidder beare recorde and certefie us who thay ar that dois shew thame selfes willing and forduard to the furderance of our service, who crosseris thereof, and who luckewarme and indifferent, that upoun knowledge of everye manis behaviour we may repay thame in that measour thay sall justlie meritt at oure handes. Bot noway doubting of youris and the Earle of Dumbaris conjunct and willing joyneing, and of your faithfull dischairgeing of bothe your dewtyes, not only in advanceing our services bot also in making unto us a trew repoirt of everye manis cariage, we committ you and your proceidingis to Godis blessing; and so biddis you fairweill. From oure Court at Grenewitch, the vijth of Junij, 1609.

Addressed:—To our right trustie and right weilbeloved couseing and counsellour, the Earle of Marr.

King James the Sixth to the Earl of Mar.

1609, July 6. Whitehall.—James R.—Right trustie and right weilbeloved couseing and counsellour, we greit you weill. Haveing understood by letters from oure right trustie and right weilbeloved couseing and counsellour, the Earle of Dumbar, and also be repoirt maid by the Lord Burley (who wes ane eyewitnes of the same), of the great paines, cair and diligence used and dexteritye kythed by you the tyme of this laite sessioun of Parliament of that our kingdome in the helping, furdering and advanceing of our service thereat, and procureing so plausable and wished succes to all suche thinges as in oure name wer moved to our Estaites, we culd not bot tak very speciall notice thereof, and heirby to signifye unto you the great contentment we haif receaved thereby, thanking you most heartly for the same, and assureing you that as occasioun sall offer, we sall not be unmyndfull thereof. And so we bid you heartlye fairweill. From our Court at Whitehall, the 9th of July, 1609.

Addressed:—To oure right trustie and right weilbeloved couseing and counsellour, the Earle of Marr.

KING JAMES THE SIXTH to the EARL OF MAR.

1609, October 12. Royston.—JAMES R.—Right trustye and right weilbeloved couseing and counsellour, we greitt you weill. Understanding by our right trustye couseingis, the Erle of Dounbar and Vicount Fentoun, of the matche intendit betuix your sone and the Erle of Errolis secund doghter; and by thame being informed of the scrupule maid by you to proceid therein in regaird of hir fatheris present estaite, and the presumptiouns that may be takin thereby of the doghteris religioun; we do hairtely thanke you for acquaynteing us therewith. Bot, as we do assuire our selfe, that in the allyance there is no caus of feare that you, by hir father, salbe anyway seduiced, whereas, on the other pairte, there be some hoipes that you may be a meane for his reduceing to the trew professioun (whiche we do hairtelie wishe); so we desyire tuo thinges to be done heirin, the one of whiche is to forrunne, the other to follow the matche, whiche, being cairfullye regairdeit by you, will, no doubt, remove all exceptionis whiche may be takin heirin. As first, for eshewing of all skandall, it salbe fitt that befoir the matche be perfyited, the young ladye do give full satisfactioun to the Churche therein, whatever can be of hir justlye demandeit, for testimony of her owne professioun. Nixt, it salbe expedient that the matche being endit, you do plaice hir with unsuspect company for there religioun, and direct hir so to be instructed, now in hir young yeiris, while as sho is able to resaive any impressioun, as haveing that regaird to hir, as to your owne doghter (of whome the issew of your hous is now to be expected), sho may be so taught, as there may rest no feare of hir professioun, according to that president whiche you haif alreddy kyithed in your owne wyife. And referring the caire of these thingis unto you, and wisheing all happines and contentment in the matche, and expecting no less, we bid you right hairtly fairweill. Frome our Court at Roystoun, the xijth of October, 1609.

Addressed:—To oure right trustie and right weilbeloved couseing and counsellour, the Earle of Marre.

1610, August 19. Grafton.—Signature appointing George, Earl of Dunbar, Treasurer of the New Augmentations. It begins with the following narrative:—

"Oure Soverane Lord, understanding that the committing of the charge of intromissioun with his Hienes rentis, revenewis and casualities of his Hienes Kingdome of Scotland to divers officiars hes nocht onlie bred herme to his Majestie be the mony unproffitable fies payit to unnecessare officiares, bot alsua hinderit his Majestie to knaw the trew estait and causis of sum ovirsichtis and abuses committit thairin, quhilk with divers utheris inconvenientis can not be sa spidilie and weill remeidit; and be the committing of that haill burding and trust to ane onlie officiar, quha, having the power of intromissioun with his Majesteis haill rentis and charge of all

necessare burdings and deburstmentis following thairupoun, may with sic care and diligence, discharge his dewtie in baith these pointis, as gif any oversicht wer fund, all excuseis sould be takin from him, and pretextis of laying ovir the blame and burding upoun utheris: quhereoff his Majestie having now ane verie fitt occasioun offerit be the dimissioun of the offices of Collectorie and Thesaurarie of New Augmentationes in his Hienes handis be ane letter under the hand and subscriptioun of Mr. Johne Prestonn of Panycuke, last possessor of the said offices, and be the deceise of Sir James Hay of Kingask, knycht, lait comptrollar of his Hienes proper rentis of his said kingdome and by the mony pruiffis and gude experiences alreddie had be his Majestie of the gryt wisdome, diligence, faithfulnes and dexteritie of his Hienes trustie and weilbelovit cussen and counsallour, George, Earle of Dumbar, Lord Home of Berwick, alsweill in his proffitabill and faithfull administratioun of the office of Thesaurarie of that kingdome, as of all uther most wechtie and important charges and effaires concerning the gude and quiet governament of that estait, his Majestie knawing perfytlie that na burding can be layit upoun [him] for the furtherance and benefite of his Majesteis service and gude of that his native cuntry, quhilk his knawledge, industrie and sufficiencie is not habill worthelie to discharge"; therefore, his Majesty ordains a letter to be made under the great seal, appointing the said Earl of Dumbar for life, his Majesty's Treasurer, Comptroller, Collector and Treasurer of the New Augmentations, and only and full intromitter with his Majesty's whole rents, ancient patrimony and property of his Crown, thirds of benefices, and all casualties, etc.; with power to appoint deputies and under receivers, and do generally whatever belongs to the said offices, the said Earl being always accountable to the Lord Auditors of his Majesty's Exchecker appointed by his Majesty's Commission for that effect. *Copy.*

King James the Sixth to the Earl of Mar.

1610, December 23. Whitehall.—James R.—Right trustye and weilbeloved couseing and counsellour, we greitt you weill. Whereas Sir David Woode and Harye Woode, the sones of vmquhill Patrick Woode of Bonyetoun, haveing submitted unto us the removeing of all questioun and debaite standing betuix thame for the successioun to the landis and leiving of Bonyetoun, in which mater becaus we culd not heir tak a particular tryall and cognition of the trew valew and rent of that hole living, as lykwyis of the burdeyne whiche is lying upoun the same, and of the debtis awand ather by the father or by any of the tuo brethir, therefoir bothe parties did condiscend upoun some arbitouris on ather syide, and you, as ovirsman, for clearing and determineing in these poyntes. And becaus our amicable decrie and sentence definitive must stay unpronunced untill suche tyme as these thinges be first cognosced upoun, and the determinatioun of you and the arbiters gevin furth thereupoun, we ar, theirfoir,

earnestly to desyire you to accept the said submissioun in and upoun you, and to conveyne the freyndis whiche be arbitouris on ather syide, and to proceid in delyvering your judgment and decrie concerning these thinges submitted according as you sall find agreable and consonant to equitye and conscience. And in doing heirof you sall do us most acceptable service. And so we bid you right hairtlye fairweill. From our Courte at Whitehall, the xxiij[th] of December, 1610.

Addressed :—To oure right trusty and right weilbeloved cosen and counsellour, the Earle of Marre.

1611, January 15. Edinburgh.—Order to the Captain, constable and keeper of the Castle of Stirling, to release George, Marquis of Huntly, from his imprisonment there. *Signed by* Al. Cancell[s.] Perthe, Lothiane, Glasgw, D. Scone, Blantyre, Jo. Prestoun, A. M. Elphinston, S. R. Cokburne, J. Cokburne.

1611, May 15.

Bill for a suit of clothes.

To the Right Hounerable my Lord Esken.

Item. Nyne yards and a quarter of figert sattin to be jerken and hose, the price of the yard is xxij s. Some is	x lib. iiij s. vj d.
Item. A yard three quarters of seegreenne sattin to the sleaves and coler.....	xxviij s.
Item. Three quarters and halfe of dornation tafity to dict the sleeves of the doublet with.....	xvij s. vj d.
Item. 2 elles and a quarter of tafity satint to line the jerken body and sleeves, and cut them vpon	xxij s. vj d.
Item. 3 quarters and halfe of black tafity to lyne the scirts of the jerkin and to bee pockets..	xxiiij s.
Item. Halfe a yard of whit sattin to bee the pickadill.....	viij s.
Item. vij ownces and halfe of gallome lace to the jerkin and dublet sleeves	xx s.
Item. iij ownces and halfe of silke	viij s. ix d.
Item. iij yards of ribin to the hosekinnes ...	j s. vj d.
Item. 28 doosen of buttons tufted to the jerkin, dublet sleeves, and flap of the hose, at vj d. the dusen	xiiij s.
Item. For canvis and stifining to your lordship's dublet	vij s.
Item. 4 yards of Jenes fuschian to line the dublet and pockets to the hose	iiij s. viij d.
Item. 2 elles of Holon to line the hose	vij s.
Item. For bayes to the hose and dublet sleeves	viij s.

Item. Given for cutting the sleeves and rainings of them	v s. vj d.
Item. For makeing your lordship's jerkin and hose	xxvj s. vj d.
Item. 2 dozen of poynts	v s. iiij d.
Some is of this last reconing is	xx lib. ij s. of starling.

1611, November 1st, 1612.—Account of his Majesty's Customs and impost of wines by Ninian McMorran, one of the tacksmen thereof.

King James the Sixth to the Earl of Mar.

1612, September 26. Hampton Court.—James R.—Right trusty and right welbeloved cuzen and counsallour, wee greite yow well. Whereas at youre last being with us, yow did earnestly intreate us for the advancement of the Larde of Findlater to the dignity of a Barroun, which desyre did proceede from the preferment of youre soune, oure cuzen, whom wee must respect for the love wee doe beare to bothe his parents; and seing that it is now sum tyme past since wee have found that the great number of noblemen there doe more harme then goode to that state, and that they exceede and surpasse the number of the noblemen heere (which hath given greate occasion of discontentment to this people, thereby alienating there harts more and more from the Union), wee have proposed with oure selff to forbeare for a tyme the making or creating any more noblemen there, and to wait all oportunity how they may be reduced to a feware number. And iff wee shall hereafter resolve to mak any, wee doe hereby promise that he shall be one of the first, bothe in regarde of youre intercession, and of the gentleman's owne worth, whom wee have evir found very reddy to our service, and knowen to be capable of that favoure, and of this yow may rest assured. Soe wee bid yow hartly farewell. From Hampton Court, this 26th September, 1612.

Addressed:—To oure right trusty and right welbeloved cuzen and counsallour, the Earle of Mar.

King James the Sixth to the Earl of Mar.

1612, October 30. Whitehall.—James R.—Right trusty and right weilbeloved cosen and counsellour, wee greete yow well. Whereas the long possessioun of teyndis is generally by oure subjectis there estimed to give them a kynd of heretable right to the same, they payeing at the expireing of their takes a reasonable sowme for the renewing thereof, it hath bene therefore in us (to your knowledge) a verie olde song to wishe the kyndlie takesmen at the expireing of their takes (even upoun easier conditionis) to be to all others preferred, thinking it ane unconscionable thing (howsoevir it be in extremietie of law

permissible) to dispossesse them of the same. And knowing that the use thereof (being in deade ane covert oppressioun) hath from tyme to tyme produced greate occasioun of quarrell and contentioun amongst oure subjectis, cheflie where there hath bene anie preceiding ground of quarrell betwene the old possessor and new takesman, therefore, and becaus wee are informed that yow and the remanent curators of the Lord Halirudhouse (now your pupill) have of late sett a take of the teyndes of Craufurd Lyndesay to the Earle of Angus, notwithstanding that the same have bene these fourtene scoir of yeares in the continuall possessioun of Johne Carmichell of Medoflatt and his predecessours, and that the said Johne did evir offer to yow the performance of all that in reson could be required for renewing his takes of the same, wee have hereby thoght good earnestly to desire yow, in regaird of his so long kyndnes to the saidis teyndes, and that his tackes thereof are not as yett expired, to grant him a new tacke thereof for performance of such conditiouns as the said take maid to the Earle of Argus is granted upoun; and that yow will likewayes upoun reasonable conditiouns renew his tacke of his teyndes of Pittinen, held of your erected abbacy of Drybrugh. Wherein exspecting that your satisfactioun of oure desires shall manifest that respect whiche yow carry to oure earnest recommendatiouns, wee bid yow farewell. From oure Courte at Whitehall, the penult of October, 1612.

Addressed:—To oure right trusty and right welbeloved cosen and counsellour, the Earle of Marr.

Endorsed by Mar:—His Majesteis letter in favors of the Capitan of Crafurd.

1613, May 13. Whitehall.—Letter from King James the Sixth to Sir Gideon Murray, deputy Treasurer, sending a petition by William Sinclare of Ethay for his consideration, "and having considered his rightes, if yee shall finde them fitte to be taken into our hande, to give him suche reasonable contentment for them as yee can agree upon; bot if they shall not make much for us, yee shall let them go, seeing we have no summes of monie to bestow on toyes at other mens fantasies."

1613, October 27. Royston.—Precept by King James the Sixth to Sir Gideon Murray of Elibanke, Treasurer-depute, not to expede the escheat of the late Commendator of Cambuskenneth, who has died while a rebel at the horn, to any other person than Sir James Areskine.

THE EARL OF ROCHESTER to the DEPUTY TREASURER.

1613, October 27. Royston.—Sir Gedeon.—Understanding by my Lord Fenton that the Lord of Campskeneth is lately dead, and forasmuch as dying outlawed, his escheat is like to fall unto his Majestie, I have thought good hereby to advertise

you that you make stay of it, till you heare further from me how his Majestie shall be pleased to dispose of it, whome I finde most inclined to Sir James Erskin. And so I rest, your very loving frend. *Signed*, Ro. Rochester.

Addressed :—To my very loving frend, S^r^ Gedeon Murray, knight, Deputie Theasorer of Scotland.

King James the Sixth to the Earl of Mar.

1614, May 20. Whitehall.—James R.—Right trusty and right welbeloved cosen and counsellour, wee greete yow well. Wee were pleased at your last being here to speake to yow concerning maters controverted betwixte yow and Sir James Lockharte of Lee, and, therefore, have now taken occasion to acquaynte yow with our earnest desire to have some good course taken for composing of all your differences. But concerning the information made to us of the witholding of tymelie teynding frome him this laste yeare, forasmuch as he feareth that (if that mater shoulde be tryed before our Counsell), your authority and greate meanes might there oversway him; and also for that any suche course wolde be directlie contrarie to his desire, which is to have maters amicablie composed; wee thinke it moste fitte that each of yow choose an indifferente neighbour, who joyntlie may informe yow of the treuthe of the mater, and (if neede require) sende the same to us under their handes. And because those teyndes are the only grounde of all question betwixte yow, it were also verie convenient that neutrall frendes were chosen on both sides, who joyntlie might esteme the valew of the said teyndes, and sette doune such articles and conditions as eyther of yow shall performe to other for the same. And assuring our selfe that yee wille so much the more encline to this good course at our requeste, wee bid yoow farewell. At our Pallace of Whitehalle, the 20th of Maie, 1614.

Addressed :—To our right trusty and right welbeloved cosen and counsellour, the Earle of Mar, etc.

Table of Scottish Produce Exported Yearly.

1614, c. November.—The wairris and commodaties that ar shippit and transpoirtted furthe of this kingdome yeirlie, be sea, ar—

1. The wairris and commodaties that the land yeildis;
2. The commodaties that ar maid and wrocht in the countrie;
3. The commodaties that the sea yeildis; and
4. Sic foirrane commodaties as ar importtit and expoirttit agane yeirlie.

Quhilk wairis and commodaties conforme to ane compt maid partticularlie of the quantetie of ilk soirt of commodaties shippit yeirlie at everie poirt of this realme betuix the first day of

November, 1611 yeiris, and the first day of November, 1614 yiris, in the space of three yeiris, is fund to extend yeirlie, and ilk year ourheid, as followis :—

1. The wairris and commodaties that the land yeildis yeirlie.

Victuel and Viverris.

Of Quheit 1,130 bollis, extending in money, at £7 the boll, to	£7,950*
Of beare and maltt, 4,256 bollis, extending, at £6 the boll, to	£25,536
Of aittis, 646 bollis, extending, at £5 the boll, to...	3,230
Of flowre, 3 last 9 barrellis, extending, at £9 the barrell, to	405
Of breid, callit baikis, 2,800, extending, at 40s. the hundreth, to	56
Of beiff, 2 last 6 barrellis, extending, at £10 the barrell, to	300
Of aquavite, 27 gallonis, extending, at 20s. the pynt, to	216
Summar of victuell, etc.	£37,653

Hyddis.

Of salt hyddis, 1,620 daicker, extending, at £40 the daicker, to	£64,800
Of hairt hyddis, 91 daicker, extending, at £20 the daicker, to	1,830
Summar of hyddis is...	£66,630

Skynnis.

Of wol skynnis, 238,666, at 12s. the pece, is ...	£143,199
Shorling skynnis, 1833, extending, at £48 the hundreth, to	£878
Of lamb skynnis, 120,810, extending, at £6 the hundreth, to	7,242
Of futfollis, 39,600, at £24 the hundreth	9,534
Of gait skynnis, 16,321, at 8s. the pece	6,528
Of calff skynnis, 160, at 3s. the pece	24
Of rea skynnis, 240, at 16s. the pece	180
Of tod skynnis, 1,012, at 40s. the pece	2,024
Of kid skynnis, 1,226, at £18 the hundreth ...	220
Of otter skynnis, 44, at 40s. the pece	88
Of cuneing skynnis, 53,234, at £6 the hundreth...	3,194
Summa of the skynnis	£172,082

* For convenience the numbers are changed from Roman characters to Arabic.

Yit the commodaties of the land.

Of woll, 10,374 staneis wechtt at £5 the stane, is	£51,870
Of feathers, 331 stane, extending, at £4 the stane, to	1,324
Of Orknaye buttar, 21 barrellis, at £14 the barrell	294
Of leid urris, 30,000 stane, wecht yeirlie, at 13s. 4d. the stane	20,000
Of coallis, 6,308 chalder, at £4 the chalder ...	25,232
	£98,720

Sua the commodaties that the land yeildis yeirlie, and is transpoirtted, extendis to £375,085

2. The commodaties that ar maid and wrocht in the countrie, quhairby the peopill ar sett to labour.

Of smal salt, 1,989 chalder, extending, at £20 the chalder, to	£39,780	
Of claythe and plading, 141,854 elis, extending, at £42 the hundreth, to	59,574	18s.
Of lynning clayth, 231,000 ellis, at 10s. ...	11,550	
Of hardin clayth, 620 ellis, at 5s. the elne ...	155	
Of lynning yairne, 17,776 pund wecht, at 24s. the pund, to	33,331	4s.
Of prick hoise, 21,514 pair, extending, at £50 the hundreth pair, to	10,755	16s.
Of almeit ledder, 6,364, skynnis, extending, at £18, the hundreth, to	1,143	
Of gluiffis, 205 gross, extending, at £5 the dosane, to	12,300	
Of leather poynttis, 240 gross, extending, at 2s. the dosane, to	288	
Of scheweit cusheonis, 47 dosane, at £3 13s. 4d. the dosane, is	172	6s. 8d.
Of tycking to beddis, 40 elnis, at 10s. ...	20	
Of shone, 40 pair, at 13s. 4d....	26	13s. 4d.
Summa of the commodaties that ar maid and wrocht in the land, yeirlie and everie yeir ourheid, is	£169,097	

3. The commodaties that the sea randeris yeirlie.

Of salmond, 140 last, 6 barrell, extending, at £28 the barrell, to	£47,208		
Of hering, 1,247 last, extending, at £80 the last, to	99,760		
Of barrellit fishe, 34 last, at £6 13s. 4d. the barrell	2,720		
Of fishe in peale, 19,600, at £10 the hundrethe	1,960		
Of fishe oyle, 5 last, 4 barrellis, at £26 13s. 4d. the barrell...	1,706	13s.	4d.
Summa that the commodaties of the sea extendis to yeirlie, is ...	£153,354		

4. The foirrane wairis that ar brocht in the countrie and ane pairtt thairoff transpoirtted agane.

Of rye, 267 bollis, at £5 the boll, is ...	£1,335		
Of peise, 27 bolls, at £5 the boll, is ...	135		
Of walx, 106 shippund, extending, at £240 the shippund, to...	25,440		
Of greit saltt, 872 bollis, at 40s. the boll ...	1,744		
Of alme, 67 pund wechtt, at 3s. 4d. the pund	11	3s.	4d.
Of brissell, 72 pund wechtt, at 9s. the pund wechtt	32	8s.	
Of auld brass, 222 staneis wechtt, at £6 13s. 4d. the stane, is	1,746	6s.	8d.
Of daillis, 7,400, at £40 the hundreth ...	2,960		
Of hempt, 57 staneis, at 40s. the stane ...	114		
Of irin, 120 staneis, 26s. 8d. the stane ...	160		
Of irin pottis, 7 dosaneis, at £18 the dosane	126		
Of knappeld, 1,200, at £24 the hundreth ...	288		
Of Inglis claythe, 346 ellis, at £4 the ell ...	1,424		
Of leid, 800 pund wechtt, at 2s. the pund ...	80		
Of madir, 27 pund wechtt, at 6s. the pund...	8	2s.	
Of hoip, 60 pund wechtt, at 3s. the pund ...	9		
Of orcheid litt, 20 barrellis, at £24 the barrell, to	480		
Of pype staveis, 2,000, at £40 the thousand	80		
Of pick and tar, 16 last, 6 barrellis, at £7 the barrell	1,386		
Of taickill, 80 staneis, at 50s. the stane ...	200		
Of wyne, 2 tunis, 3 puncheonis, at £200 the tune	550		
Of vinagre, 5 tunis, 3 puncheonis, at £10 ...	230		
Of unzeone seid, 17 pund wecht, at 20s. ...	17		
Of poulder, saipe, prumdames, unzeonis, for	500		
Summa of the foirrane commodaties that ar transpoirtted agane, is ...	£39,047		

Summa tottallis.

Of the commodaties of the land	£385,488
Of the commodaties maid and wrocht in the land ...	153,354
Of the commodaties furth of the sea...	*169,097
Of foirrane commodaties transpoirtted	39,047
Summa...	£736,986

Conforme to the comptis maid and produceit.

Nota.—This is besydis and attour the greit quantetie of lynning claythe, lynning yairne, sheip, nolt, etc., that is transpoirtted be land dalie.

1615, February 24. Whitehall.—Letter by King James the Sixth to the Earl of Dumfermline, Chancellor of Scotland, and remanent commissioners for managing the King's rents there, expressing his displeasure at hearing of the daily increase of the great number of persons who lie there at the horn, and his surprise that some of them are permitted in a most outrageous manner to brave His Majesty's Guard, and with violence prevent the execution of the warrants and commissions of the Council, as also to inhabit their dwelling houses, and enjoy and dispose of their rents at their pleasure. This he tells them can only be accounted for by their negligence to repress such abuses, and, seeing he has given them the power to do so, so he requires them to reform in this matter, and so "abolishe in us the memorie of your former remissnes by your provident care to prevent the further increase of the like abuses." For this end the Clerk of Register is to collect and get in the rolls of all persons now at the horn; the Advocate is to pursue declarators of their escheats and liferents; the deputy Treasurer is to follow this up by exacting good compositions for these escheats and liferents; and all of the commissioners are to concur in the punishment of such as are contemptuous and disobedient.

1616, April 5. Whitehall.—Notes for the Prince's marriage. Commissioun to Sir Thomas Edmond for the mariage.

1. To contract specialie *de futuro.*
2. The mariage contractitt, the pairtie refusing to forfaltt the aine half of the dourrie, quhilk extends to four hundreth thousand crouns.
3. The tym of thair age to accompliss the mariage.
4. The form of the solemnitie lyk that of Madam and the Prince of Lorane.
5. The chairg to be in France to Frans.
6. Tocher to be aucht hundreth thousand crouns.
7. This ansuir to hir renunsiasion, and to shau thaim quhou strang his Majestie thinks itt, and that vith honor he can nott grantt itt.

* The figures are given as they stand, but there is evidently a mixing up.

8. Refusall of the randring of hir duarie in kess of ether of thair deths (bott to gif hir a joyntur royall of sum ten or tuelf thousand pounds a yeir).
9. For the joualls, agreis vnto itt is sum fiftie thousand crouns.
10. For intertenmentt of hir tryn nott agreitt vnto, bott the form to be talkitt on mor privatly.

Last. In kess of hir housbands deth befoir hir, than the King to be att hir charge of transportt gif itt shalbe hir plesur to go bak to France.

Monsieur de Villeroys letter and meiting with Monseur d' Villroy and Precidentt.

Our Advyss.

That his Majestie stik vpon his pointts, for thay ar most resonabill, bott principallie vpon the 4, the 7, and the 8, for thay ar most essensiall. The rest ar to be stukkin on also, bott gif the others be yeilditt vnto ve think theis shall nott be stukkin att.

[On the back]. Minutt for the Princeis mariage vith Franss, talkitt on att our meiting in the Counsall Challmer in Quhythall, vpon the fiftt of Apryll, 1616, and that be his Majesteis speciall command and direction.

The namis of theis vas att the meiting.

1. Erll of Suffolk, Lord Tresurar of Ingland.
2. The Erll of Ulster, Lord Privie Seill.
3. The Deuk of Lenox, Lord Steuard of His Majestis Houshald.
4. The Erll of Pembrok, Lord Chamberland of His Majestis Houshald.
5. The Erll of Dunfermling, Lord Cancelar of Scotland.
6. The Erll of Mar.
7. The Lord of Bening, Lord Secretar of Scotland.
8. Sir Raf Winwod, on of the principall Secretaris of Ingland.
9. And Sir Thomas Laik, on of the principall Secretareis of Ingland.

1615, April 11. Whitehall.—Precept by King James the Sixth to Sir Gideon Murray, deputy Treasurer of Scotland, to pay to James Gairdner, Master "Garioner" of the Castle of Stirling, such sums of money as he can prove to be due to him for some years past, and more especially because of his late employment in Orknay, where the King has heard he did good service.

1615, April 21. Whitehall.—Precept by King James the Sixth to Sir Gideon Murray, deputy Treasurer, to pay to James Campbell of Lawers such fines as have been received from those convicted of resetting and abetting the Clan Gregor, for which the King had granted his warrant long since; as also to pay such other parcels thereof as they shall come to his hands.

Subscribed also by R. Somerset.

c. 1615. Letter of gift, superscribed JAMES R., and subscribed R. Somerset, to James Campbell of Lawers, for his zeal not only in prosecuting "the most barbarous race of the Clan-gregour," but also in trying their resetters, of that portion of the fines imposed upon the said resetters which the Earl of Ergile gave back to the King after receiving a grant thereof. The King accordingly requires Sir Gideon Murray of Elibank, knight, Treasurer-depute of Scotland, to cause Archibald Prymrois, receiver of these fines, to make payment thereof to James Campbell.

1616, January 2. Newmarket.—Precept by King James the Sixth to Sir Gideon Murray, Treasurer-depute, to ranke Mr. James Seyton among the creditors of the late Lord Orknay, and to see that he receives payment equally with the others.

ORDINANCE BY KING JAMES THE SIXTH FOR RENEWING THE ENGRAVING OF THE QUARTER SEAL.

1616, March 10. Newmarket.—JAMES R.—Trusty and welbeloved counsellour, wee greet yow well. Notwithstanding that wee gave order long since for renueing of all oure sealles, causing engrave in them the armes of all oure kingdomes, wee understand that as yet the Quarter Seale of that oure kingdome doth continue not onely in the old maner, but is altogidder worne and decayed. Therefore our pleasure is and wee will yow that the samen be made new answerable to the rest, and for the charges thereof this shall be your sufficient warrand. From oure Court at Newmercat, the 10th of Merche, 1616.

Addressed:—To oure trusty and welbeloved counsellour, Sir Gideon Murray, knight, deputie Thesaurer of oure kingdome of Scotland.

1616, March 30. Whitehall.—Precept by King James the Sixth to Sir Gideon Murray, Treasurer-depute, directing him in his dealing with persons put to the horn for not confirming the testaments of their parents and friends deceased, not to dispone their escheats to any other than the Bishop of the Diocese in which they dwell, and then only upon the Bishop finding caution to take legal proceedings against them within a certain time for the recovery of their escheats; and not to take any more therefrom than the expenses incurred in the pursuit and the "quotes and ordinarie fees of the testaments."

1616, April 8. Newmarket.—Precept by King James the Sixth to Sir Gideon Murray, Treasurer-depute, to rank the widow of Mr. Robert Punte among the creditors of the late Earl of Orkeney; as also to make payment of the small pension which was formerly granted to her for the education of some of her children for certain years at the schools.

King James the Sixth to the Earl of Mar.

1616, November 2. Whitehall.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Whereas there were assigned unto yow as Captayne of our Castle of Edinburgh eightene chalders victuall oute of the thirdes of the archebyshoprick of St. Andrewes, which archebyshoprick being now restored to the ancient integritie is but of smalle rente, the said eightene chalders of victuall being deduced; and becaus there is no reason to diminishe the rente of the said archebyshoprick, being alreadie by other accidentes so far endomaged as hardlie is it hable to maynteyne a meane estate to the Archebyshoppe, who shoulde beare oute the ranke of firste prelate in that our kingdome; wee have thoughte good by these presentes, to require yow, to resigne the said eightene chalders of victuall to the said Archebyshoppe and his successours, notwithstanding anie title, righte or reservation thereof made to yow heretofore; and in recompense thereof to receave securitie frome the commissioners of our rentes for other xviij chalders victuall, or the full value thereof in monie, to be payde unto yow yearelie oute of our owne propertie. Which exspecting that yee will readilie performe, in regarde that yee are in no wise endomaged thereby, wee bid yow farewell. At our Pallace of Whitehalle, the seconde of November, 1616.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earle of Mar.

1616, November 2. Whitehall.—Precept by King James the Sixth to the Earl of Dunfermline, Chancellor of Scotland, and the remanent commissioners for managing the King's rents, to dispone out of his Majesty's property to the Earl of Mar, eighteen chalders of victual, or the just value thereof in money, in lieu of the like quantity which he is to resign in favour of the Archbishop of St. Andrew's.

The Earl of Mar to the King.

1616, December 21. Holyroodhouse.—Sir,—May itt pleis your sacred Majestie, having (of leitt be your Majestis comandimentts to your Cancelar and Counsall of this your kingdoum) received that office of honor and trust as to be your Tresurar in this your ancientt kingdoum of Scotland, itt is the leist pointt of my deutie to render your Majestie all houmbill thanks blongs (from a pour treu servantt) to his gracious Master and Sovereine. I haive no mor to offer unto your Majestie bott quhat is yours

deu and my deutie, that is my self to serve you treulie, faithfullie and diligentlie, vithoutt any respectt quhatsumever bott only your veill and contentmentt, and quhen I shall feill in the lest of theis points I viss I may leive no longar. Aine thing only must I, in all humilitie, intrett your Majestie to be a lytill mor sparing in your grants from this kingdome till itt shalbe my happines to see you, that ye may ains perfytlie see the estett of your revenus heir. Thus, in all humilitie, intreting your Majestis pardon for my presumsion, I kiss your most sacred hands. Your Majestis most houmble subjectt and servitor, J. Mar. *Copy.*

King James the Sixth to the Earl of Mar.

1616, December 31. Whitehall.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Our earnest desire, the wishes of our good subjectes, and the necessarie affaires of that our estate, having invited us to honour that our ancient kingdome with our royall presence this approching sommer, and knowing how far it doeth importe the credite and honour of our said kingdome, that all thinges necessarie for our contented reception and interteynment be timelie provided and in readines, and that our houses, which by reason of our long absence are become ruinous and decayed, be repared and moveabled in such decent and comelie order as is requisite, so as the strangers and others who are to accompanie us (of whome there wilbe greate nombers of all rankes and qualities), may neyther perceave anie mark of incivilitie nor apperances of penurie and want; we, therefor, oute of our royall regarde to the honour of our said kingdome have not bene sparing of our coffers, but have verie largelie bestowed greate sumes of monie, far exceeding the revenues of that our kingdome, upon these preparations. Wherein, although our tresor there be exhausted and our coffers far emptied, yet, upoun examination of particulares, wee finde manie thinges resting unprovided, which the rentes of that our croune are not hable to furnish. The consideration wheref, hath moved us to appointe a Convention of the Estates of that our realme to be at Edinburgh, the fyft of March nexte, to the intent that they may advise and resolve upon the best meanes, whereby, with least hurte to our good subjectes, all defectes may be supplied, and the credite and honour of that our realme preserved. And having written to divers of our nobilitie to be present thereat, wee, likewise, require you (knowing your good affection to the honour of that our kingdome and willing disposition to our service), to keepe that meeting, and to be in Edinburgh, the fourt of the said moneth, that on the morow yee may be readie prepared to meete with the reste. Which undoubtedlie exspecting, as yee regarde our obedience and service, wee bid yow farewell. Given at our Pallace of Whitehalle, the last of December, 1616.

Addressed:—To our right trustie and right welbeloved cosen and counsellour, the Earle of Mar, our Treasorer.

1616, December.—Notes of signatures exped and loosed, with the compositions received for the same, by Sir Henry Wardlaw, or James Baillie, in monthly lists, from December, 1616, to February, 1619, inclusive.

MR. PATRICK HAMILTON to SIR GIDEON MURRAY OF ELIBANK.

1617, February 18. Whitehall.—Right honorable.—These notes whiche you have so much exspected for your information of the nomber of horses that, having allowance of livrie, are this journay to attend his Majestie, and of those that his Majestie and the Maister of the horses are to carrie with them, to stand in the King's stables, are herewith to come to your hands. The difference betwene a horse and an hacknaye's allowance is onlie in the measure of oates, for both of a like weight of hay and the like quantitie of litter, but the horse is allowed two Englishe peckis and the hacknay on peck a day.

In the largr of the two notes yee will find some names sett downe who have no allowance of livrie, but because they are commandit to attend, and must be wheresoever his Majestie is, their horses have roome in the Kingis stables.

The lesser note of the horses to be carried alongs be his Majestie and the Maister of the horses is so spair in the nomber sett downe, as it is to be exspected that moe of each of these kindis will come, and provision must be made of horsemeit and stable roome accordinglie.

Yesterday, his Majestie, at the Lord Hayes sute, having past a signatour in favoris of the Earle of Arrolle, his father, of the Laird of Geightis escheate, and some moe of the name of Gordon and such others, as wer denunced rebellis for invasion and hurting the brethren of the Brunthillis, or the vnlawfull apprehension and execution of wmquhil Frances Hay, because the grant hereof to the Earle of Arrolle wes concludit when my Lord Register and yee wer last at this courte, vpon such conditions as wer then made knowen unto yow, his Majestie hath commandit me to recommend to yow the care therof, and to sie the same accordinglie performed. So wishing you all happines, I rest, your most loving nephew to serve yow. *Signed*, M. P. HAMILTON.

Whithall, the 18th of Feb., 1617.

I have hard that the gift of Geightes esheate, with a letter recommending the expedition therof to the Chancellor, wes this morning despatched at the Lord Hayes desire be my Lord Fenton.

Addressed:—To the right honorable my verie loving oncle, Sir Gideon Murray of Elibank, knight, deputy Thesaurer of Scotland, and one of his Majesties most honorable Privie Counsell, these.

1617, May.—Note of the progress of King James the Sixth during his visit to Scotland in 1617, called—"Gistis of his Majesties progresse in Scotland."

The monethis and week dayes whereon the Court removeth.

May.	Nights.
Tuesday, the 13, frome Berwick to Dunglas	1
Waddinsday, the 14, frome Dunglas to Seytoun	1
Thursday, the 15, frome Seytoun to Edinburgh	4
Monday, the 19, frome Edinburgh to Falkland	2
Waddinsday, the 21, frome Falkland to Dundie	1
Thursday, the 22, frome Dundie to Kinnaird	7
Thursday, the 29, frome thence to Dundie	1
Friday, the 30, frome Dundie to Falkland	1
Sattirday, the last, frome Falkland to Edinburgh	30
June.	
Monday, the last of June, frome Edinburgh to Striviling	3
July.	
Thursday, the thrid of July, frome Striviling to Dumfermeline	1
Friday, the 4, frome Dumfermeline to Falkland	6
Thursday, the 10, frome Falkland to St. Androis	4
Monday, the 14, frome St. Androis to Kellie	1
Tuesday, the 15, frome Kellie to Bruntill	1
Waddinsday, the 16, frome Bruntilland to Dumfermeline	1
Thursday, the 17, frome Dumfermeline to Striviling	4
Monday, the 21, frome Striviling to Callender	2
Waddinsday, the 23, frome Callender to Glasgw	5
Monday, the 28, frome Glasgw to Hamiltoun	3
Thursday, the last, frome Hamiltoun to Sanquhair	1
August.	
Friday, the first, frome Sanquhair to Drumlangrig	1
Sattirday, the 2, frome Drumlangrig to Drumfreis	2
Monday the 4, frome Drumfreis to Carlile	—

King James the Sixth to the Earl of Mar.

1617, August 16. Houghtontour.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete you well. These ar moste earnestlie to require you, as yee will do us moste acceptable service, and procure our exceeding greate contentment, to searche oute and sende unto us two couple of excellent

terrieres or earth dogges, which are both strate good fox killers and will stay long in the grounde. Wee are crediblie enformed that the Earle of Monteth hath good of that kinde, who wee are sure wilbe glade to gratifie us with them; some also wee had of Hawkertoun which wee have lost. Iff eyther these two aforenamed have anie, or if yee can by your diligence learne where anie other be which are excellent, wee pray you sende us the two couple, to be with us aboute or shortlie after Michaelmes. And assuring our selfe of your carefull diligence herein, whereby yee shall more gratifie us then by a greater mater, wee bid you farewell. Given at Houghtontour, the xvjth of Auguste, 1617.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earle of Mar, our Treasorer of our kingdome of Scotland.

1617, October 4. Royston.—Warrant by King James the Sixth to Treasurer Mar to expede a grant of the estate of . . . Henryson, natural son of the deceased Walter Henryson, who has died without making any lawful disposition of his goods, to the King's servant, Henry Gib, and that upon easier terms than to any other.

1617, October 4. Royston.—Warrant by King James the Sixth to the Earl of Mar, principal Treasurer, and Sir Gideon Murray, deputy Treasurer, to pay a yearly pension of 500 merks to Mr. David Lindesay, minister at Dundee; which, the King explains in a footnote, is no new burden upon the royal coffers, but only a transference of the pension formerly paid to Mr. Peter Howarte.

1617, October 7. Royston.—Warrant by King James the Sixth to Treasurer Mar and Sir Gideon Murray, his depute, to pay £250 sterling to Nicol Moncreefe, in which sum Robert Walker, the King's servant, is indebted to him. Walker has done the King good and acceptable service, not only in his ordinary place of attendance upon the King, but by kind entertainment of several of the King's servants of greater place in his house at Falkland, and therefore the King is well pleased to take that debt upon himself. They are, therefore, to assume the same, and secure Moncreefe of the principal sum, paying him the due interest thereof until that be paid.

KING JAMES THE SIXTH to [address wanting].

1617, October 17. Royston.—Richt trustie and rycht weilbelovit counsalour, we greit yow weill. We ressaved your letter concerning the course takin for our custumes, bot differred to send yow any ansuer thairunto, becaus thai being retened in our hand, we thocht the mater requirit no haist. Now we have thocht gude to advertise yow that we ar weill pleased that our Counsale hes kept still our said custumes for one yeir; for althocht sum utheris did overbid the last fermeris for thame, yit, becaus it wes in so small mesour, we must think it to have

beene done owt of a commoun wealth amangis thame self ever to keip our custumes at a law rate. Bot, on the uther part, we must signifie unto yow that we think our selffis ingratefullie delt withall be the last fermers, who, having this last yeir had so greit commoditie by our custumes, sould now upoun apperance of one bade yeir cast thame in our hand, seing the benefite of the last fatt yeir mycht sufficientlie have repared the discommoditie of this leane, especiallie having, on reasonabill conditionis, had offer maid unto thame of a lese for fyve yeiris. And, thairfore, we must assuir yow that, althocht thai sould now offer to tak our saidis custumes at a verie heigh rait, we wold not suffer thame, of all otheris, to have thame. And gif anie particular of anie of thairs requiring courtasie at our hands sall occur, wee will meitt thame with suche favour as thair ingratitude towards us hes deserved. By your letter, lang ago, ye advertist us that our Treasorer and Thesaurer-depute wer to give order for going in hand with the reparatioun of our houses. We most earnistlie require yow agane to put thame in mynd thairof, willing thame to prefer the performance of the same to the ansuering of anie oure pensioun or precept quhatsoever; and quhen our saidis houses sall be finished and put in the handis of the keparis that (as we said unto yow in oppin Counsale) upoun so good conditionis as may be they aggree with the saidis keparis to mantene thame in reparatioun, othervise it will be a perpetuall Penelopes worke. Fairweill. *(Contemporary copy.)*

1617, October 23. Hinchingbrook.—Warrant by King James the Sixth to Treasurer Mar to pay £2000 sterling to Robert Maxwell of Carlaverok for the relief of his distressed estate. Two years previously, the King had ordered this payment to be made, but having then directed his precept to the Commissioners of his rents, Mar had deemed this no sufficient authority to him to pay the money.

1617-1621.—A number of papers dealing with Treasury matters, with lists of salaries and pensions paid out of Exchequer. Also a large number of papers connected with the reformation of tanning of the leather in Scotland, introduced by John, Lord Erskine, between the years 1617 and 1642.

1618, January 17. Newmarket.—Warrant by King James the Sixth to Treasurer Mar to rank the Laird of Panton as one of the creditors on the estate of the late Earl of Orknay, if he find his claim one that should be so dealt with. He had become cautioner for the said Earl in 4,000 merks to Robert Carncrosse, who is now pressing for payment.

KING JAMES THE SIXTH to the EARL OF MAR AND OTHERS.

1618, January 27. Newmarket.—JAMES R.—Right trustie and right welbeloved cosen and counsellour, and trustie and welbeloved counsellours, we greete yow well. Whereas the Bishope of Dunkell, and on his behalf the remanent prelats

of that our kingdome, have oftimes informed us of the meane estate of the bishoprik of Dunkell, humblie desiring that for help thereof wee wold be pleased to suffer the said Bishope of Dunkell to pursue his right to the church of Tibbermure, as justlie appertening unto him; in regaird that the said church is now into our handis be foirfaltour of the late Earle of Gowrie, and that wee know not the true valour nor wourth therof, wee have, therfore, thoght good hereby to require yow, as the officers cheflie interessed in matters of our proffite, to informe your self of the true wourth of the said church, and thereof to certifie us with all possible diligence, that so wee may the better resolve what to determine for answer of the said Bishopes sute moved thereanent. And in this willing yow to protract nor delay no time, wee bid yow farewell. At Newmarket, the 27th of Januare, 1618.

Addressed:—To oure right trustie and right welbeloved cosen and counsellour, the Earle of Mar, oure principall Thesaurer, and to oure trusty and welbeloved counsellours, Sir Gideon Murray of Elibank, knight, oure deputie Thesaurer, and Sir William Oliphant of Newtoun, knight, oure Advocat of oure kingdome of Scotland.

1618, February 12. Royston.—Warrant by King James the Sixth to Treasurer Mar to sign and authorise the gift of pension granted by the King to Mr. Patrick Galloway and Mr. James Galloway, his son, and the survivor of them.

King James the Sixth to the Earl of Mar.

1618, March 26. Theobalds.—James R.—Right trusty and right welbeloved cosen and counsellour, and trusty and welbeloved counsellour, wee greete yow well. The Earle of Mortoun, having of late contracted a dangerous, and as is thoght ane irrecoverable and deadlie disease at Paris, to prevent such hurt and overthrow as might ensue to his house if his sones warde and mariage should become in the handis of a stranger or one more desirous of his owne particulare proffite nor the well and standing therof, hath therfore petitioned, (as his last sute) of us, that wee wold be gratiouslie pleased to have a care that, if God call him at this time, his sones warde and mariage may be bestowed for his well and standing of his house. In which regaird these are expreslie to inhibite and discharge yow to graunt or passe any gift therof to any persone quhatsoever till wee be first advertised and oure hand procured therto for your warrant to exped the same. Wherof, as yee must not faile, so wee bid yow farewell. At Theobaldis, the 26th of Marche, 1618.

Addressed:—To oure right trustie and right welbeloved cosen and counsellour, the Earle of Marr, oure principall Thesaurer, and to oure trustie and welbeloved counsellour, Sir Gideon Murray, of Elibank, knight, our deputy Thesaurer, of oure kingdome of Scotland.

1618, April 7. Whitehall.—Warrant by King James the Sixth to the Earl of Mar, principal Treasurer, and Sir Gideon Murray, his deputy, to retain in their hands certain sums due to William Sinclair of Edy in Orknay, until he pay to Barbara Elphingston £96 sterling, which is due to her, and of which she fears she will otherwise be defrauded.

KING JAMES THE SIXTH to the EARL OF MAR. (Holograph).

1618, May 16. Whitehall.—Milorde, it is nou many monethis agoe since I signed a precept to milorde Hammilton of three thousande poundis sterling, to be payed him out of my ressettis thaire, and nou, by these presentis, I have thoght goode to revive it againe and give it new strenthe and vigoure. My pleasure is that it maye be paied unto him with as convenient speede as the urgent necessitie of my owin particulare effaires (quhiche muste be praeferrid before all things) maye permitte, and withall that it maye be kept as secreate as possiblie maye be for eschewing the importunitie of a number of suters; and this is the reason quhy I wrytte this unto you with my owin hande. I knowe well the present wantis in my estate thaire, but I ame so fullie satisfied, and so muche rejoiced at the conquest I have made in drawing this man to wayte upon me, now that I knowe him as he doeth me, that I assure my selfe his service will repaye my liberalitie with a double interest. And thus I bidde you hairtelie fairwell.

Whythall, xvj May, 1618. JAMES R.

1618, June 30. Greenwich.—Warrant by King James the Sixth to the Treasurer Mar and Sir Gideon Murray, Treasurer-depute, to expede the gift of the escheat and liferent of the Earl of Argyle to Sir George Erskine of Innerteill, gratis, as he is cautioner for the said Earl in great sums of money.

1618, July 12. Wansted.—Warrant by King James the Sixth to the Earl of Mar, principal Treasurer, and Sir Gideon Murray, Treasurer-depute, to pay as soon as possible the arrears of debts due to the deceased Mr. Robert Punte, and some small pensions which the King had formerly granted for educating some of his children at schools. He gave order to this effect long before his last coming to Scotland, and no payment having been made, his widow, having been reduced to great extremity, has come to Court to crave the same from him.

1618, July 20. Whitehall.—Warrant by King James the Sixth to Treasurer Mar to pay £400 sterling, or £4,800 Scots, to Sir Thomas Dischingtoune.

KING JAMES THE SIXTH to the EARLS OF MAR AND MORTON.

1619, January 14. Newmarket.—JAMES R.—Righte trustie and righte welbeloved cosen and counsellour, and righte trustie and welbeloved cosen, wee greete yow well. By reporte of the Marques of Hamilton, Lord Binning, and Sir James Campbell of Lawars, knighte, made to us at your entreatie, wee have

knowne your humble desire that wee mighte be pleased not to extende our juste displeasour conceaved against the Earle of Argyle, to the overthrow of that ancient and noble house, being possessed by manie faithfull and worthie subjectes, but that wee mighte be pleased to extende our favour to his innocent sone and to manie of his friendes, our faithfull subjectes, who underlie greate burdens of debte and cautionrie for the said Earle. Wherewith wee cannot take present order til wee see the event of the charges used by our direction. But if the said Earle persisting in his unhappie and godles course shalbe denounced our rebell, upon your nexte advertisement, wee intende to let yow know so much of our gracious respecte to the requeste made by yow and the rest of the frendes of that house as may give yow all lawfull contentment, upon the conditions following:—First, that yee and Sir George Ereskin, knighte, convene in Edinburgh all the principall frends of the hous of Argyle, and resolve upon the perfecte meanes of constant securing the peace of our kingdome in the boundes formerlie commanded by the Earle of Argyle, and for which he eyther as heretour or officer was bound. And nexte that yee sende to us a particulare and true rentall of his landes and living, with a true inventarie of his debtes and wodsettes, to the effecte wee may then by your advice designe such a portion for maintenance of the Earles eldest sone as shalbe necessarie for his vertuous education, and speciallie in religion, whereof wee will impose the charge and repose the truste in yow. And the rest of that rente wee will have to be uplifted by factorie to be granted to such as yee shall choose and be answerable for, to be bestowed for payment of the just debtes, and before all others of the sumes ought by the Earle to Sir George Ereskin, the Lairdes of Lundie, Calder, Didhop and Lawars, with his brethrein, and thereafter to the rest of the Earles creditours. It is also our pleasour that yee sende to us a liste of the names of the justices of peace within the sherifdomes of Argyle and Tarbet, with your opinion whome yee thinke fittest to be elected sheriffes in those shires. After receipte whereof yee may exspecte our speedie answere to your reasonable contentment. And so wee bid yow farewell. Given at Newmarket, the xiiijth of Januarie, 1619.

Addressed:—To our righte trustie and right welbeloved cosen and counsellour, the Earle of Mar, our Treasorer, and to our righte trustie and righte welbeloved cosen, the Earle of Morton, these.

1619, February 19. Royston.—Warrant by King James the Sixth to the Earl of Dumfermeline, Chancellor of Scotland, and the remanent lords and others of his Privy Council there, to secure the vassals of the Earl of Argyle, in accordance with the ordinary course of law.

King James the Sixth to the Earl of Mar and others.

1619, May 31. Theobalds.—James R.—Righte trustie and righte welbeloved cosen and counsellour, and right trustie and welbeloved counsellours, wee greete you well. Whereas wee

have bene pleased to graunte unto oure dearest sone, the Prince, the lordshippe of Dumfermeline as his propper inheritance, and, likewise, such other landes as our late dearest bedfellow, the Queene, enjoyed in that our kingdome; wee have thoughte good by these presentes to wille and require you to give way to our said grante, that the securities and evidentes of the said landes may with convenient expedition be exped through our seales. And not doubting of your readie conformitie to this our pleasour, wee bid you farewell. Given at our Mannour of Theobaldes, the last of Maie, 1619.

Addressed:—To our righte trustie and right welbeloved cosen and counsellour, the Earle of Mar, our Treasorer, and to our righte trustie and welbeloved counsellour, the remanent commissioners of our rentes in our kingdome of Scotlande.

King James the Sixth to the Earl of Mar and others.

1619, May 31. Theobalds.—James R.—Righte trustie and righte welbeloved cosen and counsellour, and trustie and welbeloved counsellour, wee greete you well. Whereas wee are perswaded that our houses which we commaunded to be repayred are now in reasonable forwardnes to be finished, and understanding that our Castle of Invernesse is so far decayed as a greate parte thereof is quite fallen downe, wee have thoughte good by these presentes to require you to give order that the same may be rectified. For although it may be that wee in our owne time shall never see it, much lesse dwelle therein, yet may some of our successours take occasion to remayne there. And although there were no other reason, yet our respecte to our owne honour and the credite of that our kingdome, mighte be sufficient motives to perswade us to maynteyne it in reparation, though it were to no other purpos but the keeping of prisoners. And therefor it is our pleasour that nexte after our Pallace of Linlithgow and Castle of Dumbritayne, which wee expecte now to be verie neare finished, yee give presente order for reparation of Invernesse. Whereof perswading our selfe that yee will have a speciall care, wee bid you farewell. Given at our Mannour of Theobaldes, the last of Maie, 1619.

Addressed:—To our righte trustie and right welbeloved cosen and counsellour, the Earle of Mar, and to our trustie and welbeloved Sir Gedion Murray, knighte, our Treasorers, principall and deputie, of our kingdome of Scotlande.

King James the Sixth to the Earl of Mar.

1619, June 12. Greenwich.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete you well. It hath bene meaned to us by the maisters of the New Colledge of St. Andrewes that by the lying oute of the Earle of Kinghorne, your sone-in-law, and the Earle of Buchan, your owne sone, frome agreeing with them concerning the tithes of the Kirk of Tannadyce, they are reduced to those straittes as

they are not hable longer to keepe house, but must dissolve it. And this wee cannot see done for the inconvenient it will bring to the wholle churche and kingdome. Therefor wee moste earnestlie requeste you to use your credite and authoritie with them for the setling of that business with the Colledge to the effecte wee be not anie more troubled with their complaintes. By our direction wee remember that there was a professor more placed there, according to the foundation, and for this it is necessarie that their rentes be encreased, though with a moderation, which both wee wish and they (wee thinke) will not be dissenting frome. This wee earnestlie desire you to mediate, seeing it concerneth your sones, leaste the said maisters be distracted frome their studdies and we molested with their petitions. Whereof persuading our selfe ye wilbe carefull, wee bid you farewell. Given at our Mannour of Grenewich, the 12th of June, 1619.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earle of Mar, our Treasorer principalle of our kingdome of Scotlande.

1619, August 5. Beaver Castle.—Warrant by King James the Sixth to the Earl of Mar, principall Treasurer, Sir Gideon Murray, Treasurer-depute, and remanent commissioners of rents, to make payment of the yearly pension of 500 merks to Archibald Campbell, brother of Sir James Campbell of Lawers. He has a former gift of the said pension for a limited period which he is to surrender, and then to receive this, which is for his lifetime.

King James the Sixth to the Earl of Mar and others.

1619, August 10. Rafford.—James R.—Righte trustie and righte welbeloved cosens and counsellours, and righte trustie and welbeloved counsellours, wee greete you well. Wee were pleased, some yeares before our firste coming oute of that our kingdome, to graunte to the citie of Elgin in Murray the patronage and preceptorie of Maisondieu, neare to the said citie, for maintenance of their hospitall and enterteynment of a musick schoole. And now wee ar advertised that some few yeares ago some opposition was made by some of our officers against the same. And forasmuch as the same was by us disposed *ad pios usus*, wee have thoughte good by these presentes to wille and require you to mainteyne the said citie of Elgin in the possession of the said rentes, patronage and preceptorie, and to renew our former grante unto them. In which behalfe, as these presentes shalbe unto you a sufficient warrant, wee bid you farewell. Given at our Courte at Rafforde, the tenth of Auguste, 1619.

Addressed:—To our righte trustie and righte welbeloved cosens and counsellours, the Earle of Mar, our Treasorer, and to our righte trustie and welbeloved counsellours, the remanent commissioners appointed for managing our rentes in our kingdome of Scotlande.

1619, October 4. Theobalds.—Warrant by King James the Sixth to Treasurer Mar to grant the escheat of William Oliphant of Gask, who has been denounced rebel for the unhappy slaughter of David Tosheoch of Monivaird, to the Earl of Angus, he paying a reasonable composition for the same.

1619, November 20. Newmarket.—Warrant by King James the Sixth to Treasurer Mar, narrating that he has bestowed the whole benefice of Failfoorde on Mr. Walter Whitefoorde, but understands that some persons under surreptitious gifts are laying claims to parts therof. He requires him, therefore, to be careful not to sanction any infeftment or confirmation of the said benefice, or any part thereof, to any other person.

KING JAMES THE SIXTH to the EARL OF MAR.

1620, April 15. Whitehall.—JAMES R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete you well. The bearer returning thether frome his ordinarie attendance on our service, wee have thoughte good by these presentes to require you, according to the accustomed maner, to directe him to Orkney and Zetland for taking up and bringing frome thence such haukes as shallbe thoughte fitte to be labored for our use; wherein knowing yee wille use no delay, wee bid you farewell. Given at our pallace of Whitehalle, the fiftenth day of Aprile, 1620.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earle of Mar, and in his absence to our trustie and welbeloved counsellour, Sir Gedion Murray, knighte, our deputie Treasorer of our kingdome of Scotlande.

Docquet:—The Kingis Majesteis letter for allowance of expenses in Orknay and Yetland to the falconaris, 1620.

KING JAMES THE SIXTH to the EARL OF MAR.

1620, April 17. Whitehall.—JAMES R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Whereas wee intende, God willing, this nexte yeare to repaire to that our kingdome and spende some dayes at our disporte of hunting in Moore Eumont, wee have thoughte goode by these presentes to require yow not onlie to have a care of preserving our game there, by discharging all hunting with grewhoundes therein and in some convenient space aboute it, but likewise diligentlie to take heede that the same be not endomaged, eyther by encroching thereupon by tillage, or yet by cutting up of turfes, divottes or faill thereupon, whereby the grounde is not onlie spoyled but likewise made stonie, and by that meanes dangerous for horsemen to ride upon. Of this wee spake to yow at our last being there and yee promised to have a care to see it amended, the performance of which promeis wee now exspecte. Moreover wee understande that these manie yeares there have not bene so manie nor as good haukes bred in that

our kingdome as have bene this yeare, notwithstanding whereof wee have not had anie sente to us. This also yee muste cause be amended, for if wee be unfurnished frome thence wee shall forgette to cause pay your pension. Farewell. Given at our Pallace of Whitehalle, the 17th of Aprile, 1620.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earle of Mar, our Treasorer of our kingdome of Scotlande.

1620, June 2. Greenwich.—Warrant by King James the Sixth to the Earl of Mar, Treasurer, to pass a gift of a small pension which the King had been pleased to bestow upon "the Procuratour of the Churche for debaiting the causes of the poore ministers that can noght attend the discussing of suspensiones, wherwith they are trubled daylie in the mater of their stipends," so that he "may follow that service the more diligentlie."

King James the Sixth to the Earl of Mar.

1620, June 29. Greenwich.—James R.—Righte trustie and righte welbeloved cosen and counsellour, and righte trustie and welbeloved counsellour, wee greete yow well. Whereas wee have understood by the petition of one John Murray, the sone of wmquhile John Dow McGregor, that Sir Duncan Campbelle of Glenurquhay gave him a bande to enter him to the landes of Glenstra and Strath Mallachan, provided that he coulde gett our royall consente; and becaus wee are in good hope that the young man shall proove serviceable to us and his contrie, wee are well pleased that yee calle unto yow the said Sir Duncan, and use your best meanes for bringing him and the said John Murray to a finale agreement, so as upon some reasonable conditions, he may enter him and putte him in possession of the said landes. And not doubting of your best endevours herein, wee bid yow farewell. Given at our Mannour of Greenewich, the penulte of June, 1620.

Addressed:—To our righte trustie and righte wellbeloved cosen and counsellour, the Earle of Mar, our Treasorer, and to our righte trustie and righte welbeloved counsellour, the Lord of Scone, give these.

King James the Sixth to the Earl of Mar.

1620, July 18th. Theobalds.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Whereas wee are crediblie enformed that Sir Hew Carmichael hath had verie harde measour offered and undewtifull and unnaturall dealing used to him by his owne sone, importing not onlie a kinde of disgrace to him, but also the losse of his wholle estate, wee have thoughte good by these presentes to recommende the said Sir Hew and his cause to your speciall favour, earnestlie

requiring yow that yee wille not onlie stoppe all such thinges as are at our guifte frome passing in prejudice of the said Sir Hew, but likewise, as a true frende to both, yee wolde employ your best endevours to bring them to an amicable agreement. Wee have likewise written to this same effecte to the Earle of Angus, superiour of the landes, and what forder power yee shall thinke requisite frome us for finall ending of these controversies, upon your advertisement, shalbe sente unto yow. And wee hope that your joynte endevours shall bring the mater to the wished ende; which being a deede of Christiane charitie, wee nothing doubte of your forwardnes therein. Farewell. Given at our Mannour of Theobaldes the xviijth day of Julie, 1620.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earle of Mar, our Treasorer of our kingdome of Scotlande.

1620, July 18. Theobalds.—Warrant by the King to the Treasurer and Treasurer-depute to make payment of the pension of the King's servant, Patrick Ramsay, who has no other means of livelihood, notwithstanding the prohibition.

1620, August 21. Beaulieu.—Warrant by the King to the Treasurer and Treasurer-depute to pay the pension of Sir William Boyer, who is daily employed in the King's service. He is the only Englishman who has a pension in Scotland, so that its payment cannot be drawn into a precedent for others.

1620, August 23. Beaulieu.—Precept by King James the Sixth to the Earl of Mar, Treasurer-principal, and Sir Gideon Murray, Treasurer-depute, to pay to the Bishop of Dunblane the pension granted to him, without which he can hardly maintain the state of a bishop, and that notwithstanding the order given discharging the payment of all fees, pensions and other casualties out of his Majesty's coffers for a certain space.

1620, September 8. Windsor Castle.—Warrant by King James the Sixth to the Earl of Dunfermline, Chancellor of Scotland; the Earl of Mar, principal Treasurer; Sir Gideon Murray, Treasurer-depute; Sir William Oliphant, King's Advocate; and remanent commissioners for managing the King's rents, to prosecute the maltmen who contravene the Acts of Parliament, and "so to proceede in punishing the offenders as none may have occasion to compleyne that the ey of justice hath bene blinded by respecte of persons." And because he apprehends "that cours to be a verie honeste and lawfull meane to bring monie into our coffers for dischardge of some parte of the greate burden lying thereupon," his Majesty persuades himself they will employ their best endeavours to make the benefit arising therefrom answerable to his expectations.

1620, September 8. Windsor Castle.—Warrant by the King to Sir Gideon Murray, Treasurer-depute to pay two or three thousand merks out of the first of the fines of the maltmen of Glasgow to the Archbishop of Glasgow, towards the reparation of his Cathedral Church, whensoever these fines shall be

brought into the Exchequer. At first the King had refused the Archbishop's request, but seeing he asked it as a matter of royal favour and liberality, and not for himself by virtue of regality or any other prerogative, he had since been pleased to consent thereto.

KING JAMES THE SIXTH to the EARL OF MAR.

1620, October 9. Royston.—JAMES R.—Right trusty and welbeloved cosen and counsellour, and trusty and welbeloved counsellour, wee greete yow well. Whereas John Stewart of Ardsell in Lorne hath beene an humble suter unto us that wee might be pleased to accept of him for our tennant in place of John Abroch of Glenco and Rannald McAllane VcAllester Roy of Lagnhaa, whom, after their obstinate resistance, they being denunced our rebells, he having an commissioun for that effect, did justly kill; for the encouragement of others in the like case, and to the terrour of all such rebellious villanies, if the right of the sayds lands which formerly did belong unto them be in us, or if by imploying our Advocate herein, the samen be due course of law can be brought unto us, oure pleasure is that yow dispose of them from us to the sayd John Stewart, he holding them after such a tennour as yow shall think fitt, and paying the rent that formerly should have beene paied, or further, if yow finde the lands maie conveniently beare it. For doing whereof these presents shall be your warrant. From our Court at Roystoun, the 9th of October, 1620.

Addressed:—To our right trusty and welbeloved cosen and counsellour, the Earle of Marr, our High Treasurer of our kingdome of Scotland, and to our trustie and welbeloved counsellour, Sir Gideon Murray of Elibank, knight, our Deputy Treasurer of that our kingdome.

1620, December 24. Whitehall.—Precept by the King and the Treasurers, principal and depute, to pay to the Bishop of Brechin and Mr. Patrick Galloway their respective pensions, "withoute which hardlie can they maynteyne the credit of those places which they discharge," notwithstanding the order issued long ago for restraint of such payments.

1621, January 26. Newmarket.—Warrant by the King to the Earl of Mar and remanent commissioners of His Majesty's rents to expede the infetment which is to be made of the lands and barony of Myrton and others to John Mackullo, Doctor in Medicine, gratis, as he is "one of our physicions in ordinaire and attendeth our person." The lands mentioned are to be resigned for this purpose by Sir John Vaux of Barnbarrow.

THE DUC DU BOUILLON to the KING OF FRANCE.

1621, February 12. Sedan.—Sire,—Je m'estois propose de demewrir dans le silence, ne recherchant qu'a sowlager mon indisposition ordinaire dans la douceur de repose de ma famille, mais a present j'ai estimé ne devoyr tayre a vostre Majesté

depuis peu de jours les deputez de la province de Haute Languedoc et Haut Guienne assemb[l]ez a Millan ont envoye vers moy un gentilhome pour me donner advis des craintes et deffiances esquelles sont vos subjects de la religion de ces quartiers la, aussy bien qu'es autres provinces a cause des menaces qu'on leur faytt, tous les jours, en tous les endroits de vostre royaume qu'on veut rompre les edicts, leur oster la liberté de leur consciences, la seurte de leur vies, et la paisible jowisance de leur biens et dignitez ; esmens comme ilz disent de ce que c'est passé en l' affayre de Bearne, de ce qu'on a anticipé l' execution, contre l' ordre dont on avoyent donné asseurance, de la part de vostre Majesté a la derniere assemblée de vos dit subjects de la religion tenue a Loudun, sans que de leur part, il ayt esté interrompu par aucune action contre leur debuoyr ; a quoy ilz adjoustent l' inexecution des choses qui avoyent este promises, la jalousie que leur donnent les garnisons que sans necessité on a laisseez en divers en endroits, les deffences rigoureuses publiées contre l' assemblée de la Rochelle qu'ils tiennente foudée sur la parolle qu'ils croyent aussy avoyr esté donnée de la part de vostre Majesté a ladiet assemblée de Lodun ; ainsi que le deputez d'icelle ont rapparté a leur provinces et autres diverses occasions qu'ils disent voyr naistre tous les jours ; et qu'ils estiment despondre d'un dessein generalle qu'on a de reviver la religion en tous ceux qui en font profession en vostre royaume ; et sur cela, Sire, protestants qu'ils ne veulent jamays departir du debuoyr et obeissance a quoy leur subjection et leur conscience les oblige vers vostre Majesté. Il me convient de compatir a leur mall, y prendre l' interrest a quo m' oblige la profession de la religion, que j'ay commune avec eux, leur donner advis e envoyer quel, que un de ma part, en l'assemblé de la Rochelle, avec plaintes et tres humbles remonstrances qu'elle desire fayre a vostre Majesté a laquelle s'ay estimé en debuoir donner advis avant que de leur fayre responce, et la supplier comme il fais tres humblement de me donner ses commandements la dessus lesquels attendant. Par le Sire Justell, que j'envoye expres pour cest effect vers vostre Majesté, je prendray la hardiesse de vous dire, Sire, avec tres humble respect que je vous dois, et de la liberté que mon aige et quelque experience du paise me donné, que les remonstrances estant le seul et legittime moyen par lequel vos subjects de la religion se doibuent adresser a vostre Majesté laquelle par son equité jugera de la justice ou injustice d'icelles elle paurroyt recevoyr plus de contentement et utilité pour son service en les recevants qu'en les rejettants, maintenant principalement que la deffiance est telle parmy eux qu'ils croient qu'on a resolu leur rouine et qu'on le veut porter a l'extremité pour les perdre. Le remede, Sire, ne doit estre applique que par vostre Majesté mesmes, laquelle seulle a pres Dieu peut detourner ce mal et le prevenir par sa prudence et par son authorité en continuant sa royalle protection a ces subjects de la religion sans souffrir que pour advances la rouine de tant des personnes innocentes qui ne respirent que la prosperité de son reigne et une fidele

obeissance a son service ou fair violence aux edicts de roys vos predecessurs, que vostre Majesté a plusieurs foys confirmez. Je ne peus croyre, Sire, qu'on veus donne des conseills sy inutiles, et si prejudiciables a vostre estatt, moins encores que vostre Majesté le voulust protiguer pour reallumer au millieu de son royaume le feu de la guere civille que la feu roy vostre pere de tresheureuse memoire a esteint avec tant de paine, et de prudence, cognoissant bein que les consciences ne se doivent ni peuvent forcer par la puissance de fer et de feu, ni les esprits estre concraints a croire ce qu'ils ne croyent poynt. Il seroytt plustots a craindre que par un esperance doutteuse et incertaine que la passion des maleveillance de vos subjects de la religion pourroitt donner a vostre Majesté de rouiner par les armes tous vos subjects en une mesme creance, on engast vostre autorité eu de dangereux inconvenients. Et Dieu vueille detourner d' aupres de vostre personne sacrée ceux qui vous voudraytt induire a ceste violence et avec eux le funestes presagés que se pervent tirer de leur conseils. Qui si dans ces occurences presentes que m'ont donne subject d'escrire ceste lettre a vous toucher du vif resentiment que j'ay du mall que ces deffiences peuvent opporter, et sur lesquelles j' attens l' honneur des vos commandements, je suis si heureux que de pouvoyr contribuer quelque chose pour ayder a maintenir la paix et tranquillité publique, j'y porteray tout ce que vostre Majesté peutt attendre de moy et de ma devotion et fidelité a son service. Je la supplie aussy treshumblement de m'excuser sy a cause de l' incommodité de ma goutte je suis contraint d'emprunter la mayn de mon fils, pour signer la presente plustost que de marquer a ce que j'ay estime estre de mon debuoir en cest endroitt je supplieray le tout puissant. Sire, qu'il continue a estandre sur vostre Majesté touttes sortes des benedictions et vous donne en toutte prosperité tresbonque et tresheureuse vie. Vostre tres humble, tres fidelle, et tres obeissant sujett et serviteur, Henry de la Tour.

De Sedan ce ij de Janvier, 1621. *Copy.*

1612, February 15. Whitehall.—Warrant by the King to the Treasurer and Treasurer-depute, to pay to the King's servant, Sir James Levingston, his yearly pension out of the first available moneys after the King's own affairs have been despatched. Sir James has not for a long time received any part thereof, and he is now abroad on the King's business, where he is obliged to borrow money on interest.

1621, February 18th. London.—The Archbishop of St. Andrews to John, Lord Erskine:—"I cam to London the 15 of this moneth, and had audience this day. His Majestie resavit the Counsals letter most gratiously, and as I think will follow the advyse proponit. The Parliament here beginnis wel. I pray God it may end also so. The Lord Dikby gois to the . . . on Tuesday for recalling Spinola, and after as that succedis sal the advyse proceid for the defense and recovery of the Palatinat.

The . . . gatheris a mightie army. In Bohemia they ar making to the feildis. Count Mansfeild layis in Bohem with ane army of ten thowsand. The King is yit in Silesia with another. It wold appear that His Majesty expectis good and honest dealing at the Spanishe hand, quharin I beseech God he be not deceavit."

King James the Sixth to [some Members of the Privy Council].

1621, April 21. Whitehall.—James R.—Right trustie and right weilbeloved cosens and counsellours, we greet yow weill. The tyme of the meiting of the Estates of that our kingdome in Parliament now approching, we have thought gude by these presentis to requyre yow as our principall officers of estate to imploy your selffis and your best meanes not onlie to labour so many of these as ar to be at our said Parliament as possiblie as ye may to yeild to a good proportion of supplie to us, bot also to remove all such impediments as in any wayes may hinder thair yeilding therunto.

And since we have bene long put off by the Convention so as that is yit to be sought which long before this tyme we thought to have had in our coffers to have bene imployed to so honorabill and necessare ane use, we hope that by your meanes the quantitie of the supplie now granted sall contravale the long tyme quherin we have wanted it, and thairfore we undowtedlie expect that not onlie ye will perswade such as of before wer accustomed to pay taxations to yeild to a good proportion, bot also all annuelrenters and even the whole members of our College of Justice it selff (which is a speciall important pint) and all uthers either priviledged or formerlie not accustumed to be taxed in any publik cause. And since ye ar the speciall officers of that our Crowne we perswade our selffis that by your exemple manie (if not all) will be moved to yeild quhen they sall understand that your selffis ar not exempted. And althocht there have not wanted complaintes of all and everie one of yow, yet ye ar not ignorant that we have ever had ane deafe eare to all such complaintes and reportes, and thairfore we assure our selffis that at this tyme ye will by your uttermost endevouris satisfie our trust reposed in yow, and give us a proofe of your willingnes and habilitie to do us service. In which assurance resting we bid yow farewell. (*Contemporary copy*).

1621, May 16. Greenwich.—Letter from the King to the Earl of Mar (brought by Sir James Baillie) wherein, understanding the exhaustion of the Exchequer through the multitude of pensions, fees and other allowances imposed upon the royal rents, all of which it is impossible to pay, he desires him and his deputy, if he has returned, to consider how the revenue may be increased, superfluous expense cut off, and some money kept in the coffers for the facilitating of business, and to send his report by Sir James Baillie.

1621, May 16. Greenwich. Warrant by the King to the Treasurer and Treasurer-depute to pay the fees and pensions of such of the King's servants as are in dai'y attendance upon his

person quarterly, as is done in England. Special mention is made of Sir James Levingston, Sir William Balfour and Walter Stewarte, gentleman of the Privy Chamber, and Harberte Maxwell, squire of the King's body.

1621, May 24. Windsor Castle.—Warrant by the King to the Earl of Mar, Treasurer, narrating that arrangement had been made for submitting all controversies between James Johnstoun of that Ilk and Robert Johnstoun of Raecleuch to the arbitration of some of the Lords of Session, but Raecleuch's escheat having been disponed to his adversary he fears it will be held over his head as "an awband." To remove this cause of distrust and jealousy the King requires the Earl to see that nothing be done in this matter to the prejudice of Raecleuch, but that as soon as he signs the submission assurance be given to him that he will have the escheat on the same conditions as it was disponed to his adversary.

1621, June 24. Greenwich.—Warrant by the King to the Treasurer and Treasurer-depute not to dispone the escheat of Sir John Carmichael of Medoflat to any man before next Martinmas, by which time Sir John, who has been put to the horn for debt, is to take final order with all his creditors. "Wee wold be loth," says the King, "that his house, whereof so manie honest men and faithfull servantes to our selfe and our predecessours are descended, should by the crueltie of a hard-hearted creditour be utterlie overthrowne."

King James the Sixth to the Earl of Mar.

1621, July 5th. Windsor Castle.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Whereas it hath pleased God to visite Sir Gedion Murray, so as now he is no more fitte for our service, wee must frome henceforth exacte and exspecte frome yow that diligence in our affaires which formerlie wee founde in him, as well in foreseeing what parte of our service was fittest firste to be done as in putting our rentes and casualities to the beste avayle. And cheefelie wee recommende unto yow the care of our workes, and in speciall the speedie finishing of our Pallace of Linlithgow, that (seeing wee intende God willing in person to be in that our kingdome this next sommer) it may at our coming thether be fitte for our receipte. So not doubting of your best endevours for the advancement of our service in this ensueing Parliament, nor of your care for preservation of the game this yeare, wee bid yow farewell. Given at our Castle of Windesor the fyfth of Julie, 1621.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour the Earle of Mar, our Treasorer of our kingdome of Scotlande.

The Earl of Mar to the King, in answer to the foregoing letter.

1621, July 5.—Most sacred soverane, Your Majesty's letter of the fyft come to my handis the xv of this instant, by the whilk, your Majestie hes foirwarnit me that your Majestie will not onlie

exact bot exspect frome me that diligence in your Majesteis affairis whilk formarlie your Majestie fand in umquhile Sir Gedeone Murray, and in speciall that your Pallace of Lynlythqw be speedilie finished, that your Majesties gayme be preserved, and last that I hald hand to the advancement of your Majesteis service in this approtcheing Parliament.

As toucheing the first point of your Majesteis letter, thair salbe nothing inlaiking in me that my cair, diligence, travellis and best endevouris may produce, and I wilbe verie respective and solist to eshew all imputatioun of defect or neglect of dewitie in that service, whairin I hoip to prove ansuerable to your Majesteis wisheis and to the truste that your Majestie hes repoised in me.

And toucheing your Majesteis Pallice of Lynlythqw, I raid the day immediatlie preceding the ressett of your Majesteis letter and visite the worke at grate lenthe. It is now broght to a reasounable goode perfectioun, and the Maister of Worke hes undertane betuix and this approtcheing Michaelmes to haif it fullie and perfytlie compleit for your contented receptioun quhensoever it sall pleis God to bring your Majestie heir.

Thair is alreddy verie strait proclamationis sett oute and publist for preserveing of your Majesties gayme, and I salbe verie cairfull that the executioun thairof salbe prosequute and followit oute accordinglie.

And toucheing the last pointe of your Majesteis letter for the furtherance of your Majesteis affairis in this approtcheing Parliament, your Majestie may constantlie and assuredlie exspect frome me all suche deutifull concurrence and assistance for the furtherance of all your Majesteis royall and princelie affaires and commandementis quhilkis ar ever so weele warrandit with suche infallible groundis of pietie, equitie and justice, as may be exspectit frome a most humble, loyall, truistie and dewtifull servand. And so praying the Almightie God to watche over your sacred persone and to preserve your Majestie with the continewance of mony happie and blissed yeiris, I rest for ever, your Majesteis most humble and obedient servitour.

1621, July 11. Wansted.—Warrant by King James the Sixth to John, Earl of Mar, Treasurer, and remanent commissioners of his rents to expede a signature which the King has signed in favour of the Earl of Nithisdale for infefting him in his whole lands.

KING JAMES THE SIXTH to the EARL OF MAR.

1621, July 13. Theobalds.—JAMES R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete you heartelie well. Although wee are assured of your faythfull and dewtifull affection to our service, and that yee know too well your dewtie to neede so much as anie rememberance to spurre yow faster on thereunto, yet, having ordeyned the Marques of Hamilton, our Commissioner at this approching Parliament, to carie him selfe

according as yee shall advise him for the best furtherance of our affaires, wee have thoughte good to putte yow in minde to be sure that such frendes in whome yee have interest want not information how nearelie the good successe of this business concerneth our reputation, and that wee are resolved so to marke everie mans cariage as they will finde by effectes that wee will recompense them according to their dew. So nothing doubting of your care herein wee heartelie wish yow well to fare. Given at our Mannour of Theobaldes the 13th day of Julie, 1621.

Addressed:—To our right trusty and right welbeloved cosen and counsellour the Earle of Marr, our principall Thesaurer of our kingdome of Scotland.

1621, July 14, Theobalds.—Warrant by the King to the Earl of Mar, Treasurer, to dispone the ward and marriage of the heir of Alan Livingston of Dunlappie, who has died, to his nephew and the King's servant, John Levingston, on his paying such reasonable composition for it as another would.

1621, July.—Information to the right honorable the Lords of Secret Council anent the present state of the money within this realm, by John Achesone, Generall of his Majesties counyehous.

It may pleas your Lordships understand that the course of the dollouris within this realme breidis ane great miscontentment to the leiges for the lack of exchange be the daylie transporting of our awin moneyes without controlment of punishment quhatsumever, and importing daylie of new sortis of dollouris, quherof the leiges can not understand the perfyt worth, weght nor fynnes, as lykewayes the daylie importing of false and counterfitt dollouris, quhilk can not eschew ane great inconvenient, if the same be not obviat be your Lordships in dew tyme.

For remeid quherof I knaw no uther way bot to convert the saidis dollouris in his Majesties awin cunyie, for eschewing of false and counterfitt dollouris and making of necessar and easie exchange among the peopill, be reasone thair is no moyane to gett exchange for the present, and that they ar at ane hier rait nor his Majesties awin money.

Gif they be decryed your Lordships will do great wronge to the innocent leiges quha hes bein compellit to resave the same at the pleasoure of the merchantes, imbringeres and outgiveris of the samyne, directlie against the lawes and actis of counsall maid in the contrair.

Gif your Lordships wald think it expedient to mark the dollouris that ar within the cuntrie and to discharge the course of all otheris, the mark may be mair easilie counterfitt then the prent and impressione of his Majesties awin money.

And if your Lordships can find it expedient to convert them in his Majesties awin cunyie, reasone wald admitt that the samyne sould rather be done upon the expenses and charges of thois men quha resaveit the benefitt of the highting of the same,

then to hurt or wrong ather the King or his subjectis, and to impois upon them that maid the fault the payment of the coynage of the saidis dollouris in his Majesties awin counyie, be furnishing of ane stok for resaveing in frome the leiges the saidis dollouris at the pryces they wer givin out for, quhairby nather the King nor the cuntrie may resave wrong, quhilk wald seime to be ane verie easie punishment for so great ane fault. Quhilk being fund expedient to be done, ane directione wald be givin to the Master of the Counyehous to provyde ane of everie sort of the saidis dollouris to be tryed in presence of thrie or foure of your Lordships number, quha ar best werst and experimentit in the effaires of the money, quhairby your Lordships may be the better informeit, and resolveit quhat course salbe best to be takin thairanent.

And to obviat the transporting of our awin moneyes may it pleas your Lordships to tak all the coquet keipperes solemlie sworne that they sall delyver no coquet to any merchand, skipper nor mariner, until sik tyme as they sall lykewayes sweir that they sall nather directlie nor indirectlie be themselffes nor by any uther persone quhatsumever, transport mair money nor salbe allowit be your Lordships for payment of thair charges in that voyage, under sik paines as your Lordships sall think expedient, the forme of the quhilk aith wald be sett doun in prent to the saidis coquet keiperis in the maist strik and seveir forme that can be devysit.

Gif this be not fund agrieable to reasone lett the Buik of Raites of the billione be doubleit yeirlie to import the same in money of ellevin deneires fyne, untill sik tyme as the merchandis sall leive off thair unreasonable transporting of our moneyes.

Last of all it may pleas your Lordships remember the urgent necessitie of small money for the comfort of the pure and making of exchange among the leiges.

1621, September 30. Whitehall.—James R.—Directions geven to our right trustie and right weelbeloved cousing and counsallour, the Erll of Mare, our Thesaurar of our kingdome of Scotland, concerning our customes and impost of wynis of our said kingdome.

Yow shall doo weell to ferme our saidis customes and impost of wynis for the space of fyve yeairs, incais you can get ane convenient yearly rent to us for the samyn, and honest responsall men to tak the same in ferming; otherwayes yow must have a speciall cair for preventing of cousinage and fraude croppin in and used of late by the merchants, alsweell in transporting as importing of commodities customable.

And first for transportatioun, you shall try what hath bene the custome of old in packing of cloth, plading and skins; for whiche purpose (as we ar informed) ther wes sworne packers in every brugh, and whiche ar of late, sens our customes wer sett in ferming, becom out of use. You shall thairfoir caus mak choise of honest men for this purpose, ordaining all cloth, plading and

skins to be publictlie packed be them, and that none be packed in privat mens housses, and that the fize in paking of clothe and plading may be absolutely dischargit, and ane greit penaltie inflicted upoun the usears thairof.

For importatioun, yow must have a speciall regaird of appointing of honest men to be our customers and searcheours at every sea port, and namelie at the ports upon the north and south sides of the river of Forth, and above all at the port of Leith, where the gritest fraud is used. At whiche port we think fitting that you place ane honest man, knowen to be upright and trew in all his actions, to be oure generall surveyour of all commodities alsweell transportit as importit at that port. Whiche man yow must repose upoun, geving him licens and powar to mak choise of suche otheris to serve under him as he wilbe ansurable for, with this *proviso* allwayes that he shalbe ansurable for all the faultis to be committed by suche his servauntis. You shall agree with him for a convenient yearlie allowance for himself and his servauntis.

For doing of all whiche these presents shall be your warrant. Gevin at our Court at Whitehall the last day of September, 1621.

1621, September 30. Whitehall.—James R.—Directions to our right trustie and welbeloved cousing and counsalour the Erll of Mar, our Thesaurar of our kingdome of Scotland.

In the particulers efterwrittin concernyng the manageing of our rents and casualities of that our kingdome and in all other thingis concerning our service ther, we have a speciall confidence of your cair and diligence. Yet becaus it wilbe necessary for yow at some tymes to have the advice and concurrens of some of our officiars of estate, we have made choise of and writtin to the Erll of Dumfermling, our Chanceller, and to the Erll of Melros, our Secretair, to be ready at all occasions to concur with you, whose advise and help yow may use. And incaice of any urgent necessitie of forder advise, we do by these presents remit to your owne choise to call and tak the advise of suche others of the commissioners of our rents as yow shall think fitting to mak choise of frome tyme to tyme.

For the particulers whiche yow have to remember of:—First, we understand that our rents and casualities of that our kingdome are so exhaustit by reason of pensions and other extraordiner moneyis pait out of the same as ther is litle or nothing left wherwith to manteyne our estate ther and to defrey the necessary burdens liand upon the samyn. By whiche occasion not only ar our coffers empty, but we ar run in grite debt. Yow must heerfoir cairfully advert how this grite inconvenience may be helped. And becaus these pensioners ar to be distinguished by three degrees, the first of suche as have deserved well of us, the seconde of suche as have deserved nothing, and the third of our old houshold servaunts and some others who have litle or no other means to leive by, yow shall therfoir deall with them accordingly in maner following.

And for the first sort of pensioners, because all or the most part of them have good estats and means of ther owne to leive by, and therfoir have the les need of our help, yet in regaird of ther good desert, yow shall give them some reasonable satisfaction for surrendring of ther pensions, whiche we ar perswaded they will willinglie tak and embrace, when as yow shall mak knowen to them the impossibilite of pament of their pensions, unles it be with the disapointing of our service in the mater of our estate ther; which our service must be preferred befoir the pament of ther pensions.

For the second sort of pensioners, seing they have gottin the same without merite and only by the moyen of ther frends, and that the tyme they have possest the same hath bene to our prejudice and ther grite benefite, we think that we are the les bound to give them satisfaction for surrendring therof. Yet since they have ther patents under our hand and seale, yow shall in some small measure give them satisfaction for surrendring therof.

For the thrid sort of pensioners, sens they ar of our old houshold servants and of some others who have litle or no other means to leive by, yow shall suffer them to bruke ther pensions for ther lives; least when yow have geven them satisfaction for surrendring therof, and that ther moneyis ar spent, they have ther recourse to us for a new supplie and help, and so we shalbe in a daly trouble with them. Yet if any of them wilbe suitters to have some reasonable composition in hand for surrendring of ther pensions, or that yow think it fitting to deale with them in this kynd, yow shall agree with them in the best termes you can, so as it be upon suirtie geven by them that we be no forder troubled with ther sutes heirefter. For geving of satisfaction to all these pensioners befoir writtin for surrendring of ther pensions, our will and pleasure is that yow pay the samyn out of the readiest of our rents and casualities, or out of the taxations granted to us in our last Parliament holden in that our kingdome, for which these presents shalbe unto yow ane sufficient warraunt.

And becaus we mynd, Godwilling, to be in Scotland this year nixt coming, yow must have a speciall cair that ther be moneyis in our coffers for defreying of our charges during our aboade ther. And that the same may be done, we have thought fitting and do by these presents mak a restraint of pament of any pensions whatsoevir geven out of our rents or casualities of that our kingdome for the termes of Martymes and Witsonday nixtocome, and do heerby will and ordeyn yow to mak no pament therof, bot that yow reserve all our moneyis for our owne use.

Yow shall tak a trew and exact triell of the nomber of offices and officers and of the fees pait unto them in our young aige, as weell of these that served in the offices of thesaurarie, comptrollarie, and collectorie of the thrids of benefices, as of all other offices and fees wherof allowances were taikin in the accomptis of our thresaurar, comptroller and collectour. Compair the same with the nomber of offices, officers and fees pait at this

day, and send the samyn unto us in writting, with the opinions of our Chanceller, your selff, and our Secretair, how the corruption croppin of late by superfluous nomber of offices and officers, and of ther extraordinary fees may be remedyed. Given at our Court at Whitehall the last day of September, 1621.

1621, October 1. Whitehall.—James R.—Directions to our right trustie and right welbeloved cousing and counsalour, the Erll of Mar, our Thesaurair of our kingdome of Scotland.

Since that our kingdome is sattilled in suche quietnes as we have no longer use for our ordinary gaird interteyned within the same; as likewise sence ther is no more use of service for our ship now remaning ther, we have writtin to the Lords of our Privie Cousale to call befoir them the capitane and commanderis of our gaird, and to signifie unto them that we will mak no longer use of ther service then to the first day of November nixtocome. These presents ar therfoir to discharge yow of geving of them any pay fra that day fordwart. Nottheles we do by these presents aucthorize yow upoun all urgent occasions for our service to tak up and employ under our pay so many gentlemen and for suche a space as the necessitie of our service shall require. As likewise we ordayne yow to caus put our ship in als good estate as she wes into when she wes sent in Scotland, and return hir heir to remane with the rest of our navie.

And wheras in our other note of directions geven unto yow we have ordeyned yow to keep up and mak no pament to any persons within that our kingdome of the pensiouns disponit by us to them, and that of the termes of Mertymes and Witsonday nix to come, yet our meaning is not that this restraynt of pament shalbe extendit to our poore old houshold servaunts, nor to suche other poore pensioners as have litle or no other means to leive by. And therfoir yow shall tak ordour for ther payment. For doing wherof and all other thingis conteyned in these our directions these presents shalbe unto yow ane sufficient warraunt.

Yow shall remember upoun our last conference had with yow concerning transportation of victuall and importatioun of bulyeon in that our kingdome. Advise weell therupon at your homecoming, and let us have your opinion therin with suche expedition as convenientlie yow can. Geven at our Court at Whitehall the first day of October, 1621.

1621, October 10.—His Majesty's directions, promises and conclusions to and with the Earl of Mar, at his taking leave from his Majesty, at Royston.

First, he hes promised to hauld bak his hand from any grantt of pension or preceptt, exept theis quhairof he spak unto me att that tym, to vitt, the Clerk of the Regesters 1,000 pounds sterling, and 2,000 pounds sterling for his Majestis aun privatt effaers to be delyvered [to] Jhoon Morray, within a yeir, or quhou conveniently itt may be, and itt var partt and partt.

Nixt, his plesur is that all new bouldings be stayed till munie be in his coffers, and the cunyiehouss to be repared gif neid beis.

Thridly, that a restraentt of transporting of victuall may be maed, and quhen the cuntrie may spaer itt, that he vill play the marchentt him self, and be the only transportar him self, and so bring home bulyoun to the cuntrie.

Orknay.—Fourthly, that itt be deltt into to see quhat honest man vill doo best for itt, and find best seurtie, and than to adverteis his Majestie.

Fiftly, itt is his plesor that no assignasion for paymentt of pension be grantitt, and that he vill grantt non of that kynd.

Saxtlie, to haeve a caer for the Forrest of Glenamonth and of Mairepomunth, as he hes vryttin to the Advocatt and spokin to my self.

Sevintly, that the haill sillver plaett be delyvered to Jhoon Acmoutie, as Master of the Gardrop, bott the honors to stay in the Castell in the custodie of my Lord Treasurar; and that thaer be aine exactt inventur takin of all his Majestis tapestrie, sillver plaett, and all other movebills quhatsoever in the Master of the Gardrops keiping, and that the inventor be subscryved be the Master of the Gardrop his aun hand, and delyvered to the Clerk of the Regester that itt may bee incertt in the Regester or Chakker rolls.

8. His Majestie says he mynds to tak his jornay into Scotland in the midst of July nixtt. He mynd to cum by see; and from tym to tym he shall latt me knaw his mynd, and for the particular day he shall aquantt me with it quhen he is resollved, lyk as he vills me to remember him of itt be my letters.

Anentt my Lord Cancelar.

His Majestie aledgeis that in the generall he is nott so deutifull a servantt vnto him as he expected, bott is ever refragantt to his vill in his directions to the Counsall and vas so in the last Parliamentt, and that he saed to the Bishop of Sanct Andross (quhen he oposed his aun handvrytt and that direction he had gottin from him self and many mor nobill to mak a frie offer to the King) that vas only to rescew and hald of vith long vapins, and that he talked much of the povertie of the cuntrie, and that he spak tantinglie in the mater of the taxasion, for my ansuers I vill remitt thaem to my aun memorie.

That he sayd publyklie, Quhy should ye nott ador the Sacramentt and follow the Churche of Ingland. The rest to my aun memorie, quha vilbe his friend.

Dunipass and Allan Livingston.

Brydkirk.

p. Jaems Haetlie. Keir and Edmiston.

1621, October 15. Royston.—Warrant by the King to the Treasurer, the Earl of Mar, to pay to Mr. Patrick Hamilton, the King's servent, the pension due to him at next Martinmas as well as that due at Whitsuntide last, which has not been paid.

He is to return to the King's service shortly after Martinmas, and the King desires no impediment may be placed in his way by non-payment.

1621, October 17. Royston.—Warrant by the King to the Earl of Mar, Treasurer, narrating that he has written to the Council to commit the son of Allan Makledowir to close prison until his father find caution to obey the laws. And because several will be ready to offer caution for his abode in Edinburgh if he can have the liberty of the town, requiring the Earl "to holde hand" that the Council accept no such caution, except it be for the bringing in of his father.

King James the Sixth to Treasurer Mar.

1621, October 30. Theobalds.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greet yow well. The Marquis of Buckinghame being desirous to have firre trees planted aboute his house at Burleigh on the Hille, hath earnestlie requested us to cause him be furnished as well with the seede as with young trees. Which his desire wee willinglie wold have performed with all expedition. And becaus wee know none who so readilie can give us satisfaction in this pointe as your selfe, wee have thoughte good by these presentes to require yow with all expedition to cause some store of seede be gathered eyther in your owne boundes or in those of the Marquis of Huntlie, where it may be soonest had, and so soone as possiblie may be sende a man of purpos to Burleigh on the Hille with so much of the freshest and fairest thereof as convenientlie may be caried. And that yee cause sette downe in writing at what time and in what kinde of grounde the same is to be sowed, with the maner of sowing thereof; also when the time of the yeare is fitting for removing and setting of plantes and young trees. Yee shall likewise sende one to Burleigh with four or five thousand of them, with the like instructions of time, place and maner of setting and preserving them. So not doubting of your care to have this our pleasour performed with all possible speede, wee bid yow farewell. Given at our Mannour of Theobaldes, the 30th of October, 1621.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour the Earle of Mar, our Treasorer of our kingdome of Scotland.

King James the Sixth to the Privy Council of Scotland.

1621, November 19. Newmarket.—Right trustie and right weilbeloved cousens and counsallours, and right trustie and weilbeloved counsallours, wee greet yow weell. Wheras we have found the burgh of Edinburgh very ready and forward in our service, and speciallie at this last Parliament, we have a speciall regaird unto theme, and have them in our singular favour for all thingis whiche may concerne thair commoditie without our awin manefast lose. And wheras of late they have

desired to be collectouris of thair awin taxatioun, and to pay a certane sowme for thair wholl bodye, we have thocht guid by these presents to require yow to call the principallis of thair counsall befoir yow and learne of them the reasone why they wold alter the accustomed forme of leaving of taxatiouns within thair burgh at this tyme, and enquireing more particularly of theme what they will give for thair parte of the suply granted to us by the Estates of that our kingdome, ye shall labour by all meanis to draw theme to the hieghest pitche, and haveing understood thair heighest price ye shall conclud nothing with theme, but maturly advyse amongst your selffis wheither thair offer wilbe to our gayne or lose, and as ye sall resolve advertise us with convenient deligence. Which undoubtingly expecting, we bid yow farewell.

KING JAMES THE SIXTH to the PRIVY COUNCIL OF SCOTLAND.

1621, November 19. Newmarket.—Right trustie and right weelbeloved cosens and counsallours and right trustie and weilbelovit counsallours, we greit yow weell. Wheras we ar resolved that the colectioun of the taxatioun granted to us by the Estates of that our kingdome shall not be bestowed on any persone as a mater of benefite or reward for service bot that it shall be collected to our awin best advantage, we thairfoir will yow to advise togitther and advertise us quhat personis ar most fitt to be imployed in that charge for levying of the whole moneys and making ane accompt thairof to our Thesaurer and your wholl nomber; which moneys we will dispose upon according as we shall find the estait of our affeirs to requir, and the said collectours must exspect no other fees then we shall think thair travellis to have deserved. Fareweill. (*Contemporary copy.*)

THE COMMISSIONERS OF EXCHEQUER to KING JAMES THE SIXTH.

1621, November 28. Edinburgh.—Most sacred Soverane, We received your Majesties letter of the 19 of this instant by the quhilk your Majestie hes bene gratiouslie pleased to make choise of us to have the charge and directioun of your Majesteis most weghtie effeares occurring in this kingdome, wherein, as with all submissive reverence we acknawledge your Majesteis favour and the confidence your Majestie reposeth in our fidelitie to go far beyond any worth that is in us, and to be more nor our services can be able to deserve, so we shalbe cairfull by the uttermost of our endevours, and in loyall affectioun to approve our selves ansuerable to your Majesties hoipes and expectatioun, and by our cair, diligence and best resolutions, to give unto your Majestie contentment in this charge concredite unto us.

At our meiting and conference upon this subject thare come thrie other letters from your Majestie to our hands of the same date, the first concerning the motioun made unto your Majestie for superceding the executioun of the Act of Parliament made aganis superfluous banquetting and apparrell, upon pretext of diminutioun of your Majesteis customes; the secund concerning the offer made unto your Majestie on the behalf of the toun of

Edinburgh for thair extraordiner taxatioun upon annuel rents; and the thrid and last letter touching the collectorie of this present taxatioun, quherin your Majestie hes declarit your will that it shall not be bestowit upon any persone as a mater of benefite or reward for service. Off the quhilks thrie missives we remember that the first and secund hes bene already in some sort ansuerit, for your Majestie having, by twa former letters of the 12 of October last, recommendit unto your Counsall the consideratioun of these twa particulers anent the banquetting and apparrell, it wes upon the first of this moneth consideritt in Counsall that the wysest sort of the whole subjectis, greveing vehementlie at the universall harme proceding from the superflouitie of both, and earnestlie desireing the restraynt therof, receaved mervellous contentment when they saw that article warrandit by your sacred hand, which gave libertie to the Estates of parliament to advyse and resolve upon the most expedient redresse; who haveing selected some of the best experienced of everie estate to considder of the particulars, thair opinioun wes so hartelie approved both in articles and publict parliament, that it wes thoght to be ane of the most powerfull inducements to procure so frie and hartie consent to the greit sowme of the ordiner taxatioun, and to give way to the noveltie of the taxatioun of annuel rents, thinking that the foirbeiring of waste used of befoir upon superfluous apparrell and banquetting should inable the subjects to give the more abundant supplie to your Majesteis effeares. And now gif the privat sute of covetous merchaunts preferring thair unjust gayne to the publict benefite should, by the importunitie of fals suggestions, procure the subjects to be defraudit of the effect of that course which by your Majesteis royall favour wes settled for the cuntreyes good, it might occasioun ane greiter greiff to the subjects nor the pretendit interest of the trade and of the customes formerlie payed unto your Majestie for goods of that sort could counterveall, since no bypast diligence of customers and searchers could imped the craft of the merchants concealling of those pasments of gold, silver, silk and otheris small wares of that kynd; and by triell of the custome received for all those sortis of wares the sowme of your Majesteis custome being fund by us not to exceed ij$^{m.}$ lib., the commodities which may be imported with the stock which wes formerlie bestowed upon pasments and other such merchandizes will, in our opinioun, equall that quantitie of custome used to be payed for that which is now prohibite, so as we can foirsee no prejudice to your Majestie in the allowance and executioun of the Act of Parliament and rejecting of the merchants partiall sute. And tuching the agreement with the town of Edinburgh for thair taxatioun, that mater upon the directioun of your Majesteis first letter was settled and put to a point upon the 22 of this instant, and [we] have agreit with them for xl$^{m.}$ li., in satisfactioun of thair whole taxatioun, ordiner and extraordiner, to be pait at the four termes of the taxatioun, to witt, x$^{m.}$ li. at everie terme; quhilk sowme being conferrit with the ordiner taxatioun

of the said burgh extending to iiij^{m} vij^{c} lxxxj li. termelie, will amount to more nor the double of the said ordiner, and will ansuer in proportioun to a stock above eightene hundreth thousand merkis, quhilk is moir nor in our opinioun wald ever have come to light within the said burgh. And tuching your Majesteis last letter for the collectorie of the taxatioun, your Majestie hes alreadie made choise of the Erll of Mar for that charge, whose patent is exped your Majesteis seale, and he is to supplie that service frelie without any fee for his travellis. The nominatioun of the under collectours who ar to be imployed to charge for the taxatioun apperteynis to the principall collector, seing he most be ansuerable for them, and he hes imployed none bot these who wer imployed in the preceiding taxatiouns, and upon these same conditiouns and allowances, to witt, xij d. for the pund; quherof iff after consideratioun and heiring of the compts any defeasance shalbe thought necessar to be made and that any superplus shall appeir to arryse, the same shall accresce to your Majestie; and we shalbe very circumspect and cairfull that at the making of the compts no unnecessar, idle and superfluous allowances shalbe admitted. This being the effect and substance of our procedings in [these] thrie particulers, we humblie present the same to your Majesteis consideratioun and will humblie beseik your Majestie to accept the same in good pairt, as proceding from such grounds and warrandis as in our opinioun tendis most to your Majesteis honour and benefite and weell of the cuntrey. And so praying the Almightie God to watch over your sacred persone and to blisse your Majesteis raigne with the continewance of many long and happie yeares, we rest. (*Contemporary copy*).

1621, December 5. Newmarket.—Warrant by the King to the Earl of Mar, Treasurer, requesting him to do his best to pay the pensions due to the King's personal servants, which he recommended to be done some years since, especially as they are so few, viz., Sir James Levingston, Sir William Balfoure, and Walter Stewarte.

1621, December 5. Newmarket.—Warrant by the King to the Earl of Mar, Treasurer, to pay what is due to Walter Stewarte out of the King's coffers to Sir James Baillie. Stewart has assigned part of his pension to another of the King's servants, John Levingston, for money advanced on his behalf, and Sir James will pay to each what is due.

King James the Sixth to the Earl of Mar.

1622, January 13. Theobalds.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Wee have sente this bearer, our servant, John Scandover, for apprehending and transporting hether of that white hinde whereof yee your selfe gave us the first notice; and therefor have thoughte good by these presentes to require yow to cause provide eyther at Edinburgh or anie other toune nexte to the place where he is to employ his travelles, such thinges as he

shall thinke requisite eyther for taking or transporting the said hinde, whether it be shippe, cartes or other thinges. And becaus the contrie whether our said servant is to go is wilde and waste, so as nothing is there to be had withoute acquayntance and speciall favour, it is requisite that yee write to Glenurquhay (as wee have done) to cause our said servant be furnished with companie and all thinges necessarie, as well for assisting him in his travelles as for his owne interteynment. And herein exspecting your careful diligence, wee bid yow farewell. Given at our Mannour of Theobaldes, the 13th day of Januarie, 1622.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earle of Mar, our Treasorer of our kingdome of Scotlande.

KING JAMES THE SIXTH to the EARL OF MAR.

1622, January 18. Theobalds.—JAMES R.—Right trustie and righte welbeloved cosen and counsellour, wee greete yow well. Wee have understood by the reporte of our servant, John Levingston, your travell and paines taken for composing of differences betwixte the Laird of Dunipace and Alane Levingston of Dunlappie, whereby yee have broughte the parties to a submission. For which your good endevouris wee have thoughte good at this time to give yow most heartie thankes; earnestlie desiring yow that seeing yee have broughte the parties so far on in termes of agreement, yee will not leave of till all controversies betwixte them be quite taken away and they made perfite frendes. Whereof nothing doubting on your parte, wee bid yow farewell. Given at our Mannour of Theobaldes the xviijth day of Januarie, 1622.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour, the Earl of Mar, our Treasorer of our kingdome of Scotlande.

1622, January 25. Newmarket.—Warrant by the King to Treasurer Mar to provide for the payment of a pension which the King has granted to the Lord Kinclevin, and which is to be exped through the seals, out of the rents of Orkeney, or some other of the crown rents.

1622, February 6. Newmarket.—Warrant by the King to the Earl of Mar, Treasurer, and the remanent commissioners of his rents, to desist from their opposition to the passing through the seals of the gift which some months ago he had made of the office of Master of Requests extraordinary, to his servant, Mr. James Galloway, and which he has been informed they have stopped as surreptitiouslie obtained. He assures them he signed and granted the same upon certain knowledge.

LICENSE TO JOHN, EARL OF MAR, TO ABSENT HIMSELF FROM THE FESTIVALS OF THE ORDER OF THE GARTER.

1622, March 5. Theobalds.—JAMES R.—Right trustie and right welbeloved coosen and counceller, wee greete you well. Forasmuch as you, by reason of your continuall imployment in our realme of Scotland for our especiall service there, cannot

be present to attend our person at the dayes of St. George, accostomed for the celebration of our feast of the most noble Order of the Garter, that is to say, the xxijth, xxiijth and xxiiijth dayes of the month of Aprill, according to the Statutes and Articles of our said most noble Order, wee let you understand that wee are pleased and contented to excuse your absens, and by these presents doe pardon and remitt and dispence with any fault you may incurre therby, and doe give you licence to be absent on those daies from the said feast, or any other by prorogation appointed for celebration of the same, both for this and all other yeeres, until our further pleasure shalbe by us made knowne unto you for and concerning such or any other your attendans for or touching the said noble Order, any statute or article of our said Order, to the contrarie notwithstanding.

Given under the seale of our said Order att our Pallace of Theobals, the fifth of March, in the xixth yeere of our reigne, etc.

Addressed:—To our right trustie and right welbeloved cousen and counseller, John, Earle of Marr, Treasorer of our realme of Scotland, and knight and companion of our most noble Order of the Garter.

1622, March 11. Theobalds.—Warrant by the King to Treasurer Mar and the remanent commissioners for managing his rents in Scotland, to dispose of the tack of the revenues of Orkney and Yetland to the highest offerer, as he had already instructed them by the Earl of Kellie, but withal to inform him before they made a grant of the same.

1622, March 15. Theobalds.—Warrant from the King to the Earl of Mar, Treasurer, to pay the pension due to Sir James Levingston, one of his personal servants, who is coming to Scotland, and he desires that he may not by waiting for payment be detained from his service.

1622, March 20.—Thin book called "Cunzehous Compt fra the first of Merche, 1620, to the 20 of Merche, 1622"; and further detailed within as "The compt of the hail bullione adebtted for the goodis and marchandice shippit and transportted furthe of the realme at all the hevynnis and poirttis of this kingdome sence the last compt maid be George Foullis, maister of his Majesteis Counzehous, in the space of tua yeiris last by past, viz., betuix the last day of October, 1619 yeiris, and the first day of November, 1621 yeiris; togidder with the names of sic porttis quhairof the customers ar adebtted for dyvers yeiris and hes nocht maid compt thairof in Chekker."

1622, March 29. Whitehall.—Warrant from King James to the Earl of Mar, Treasurer, directing that, if at all possible, part of a sum of £2,000 which the King had ordered to be paid to his servant, John Murray, for the King's special service, should be paid to him a month earlier than the date which the Treasurer had appointed for payment.

1622, April 1. Whitehall.—Warrant from the King to the Earl of Mar, Treasurer, and remanent commissioners of his rents, to pay £10,000 sterling to the Marquis of Hamilton.

1622, April 12. Theobalds.—King James to the Earl of Mar, Treasurer, and the remanent commissioners of his rents. He has received their letter stating the offers made by Sir John Buchanane and Robert Monteith for the rents of Orkney and Yetland, and inclines with them to accept that of Sir John. But as Sir Robert Maxwell is also to offer, he desires them to delay till then, and, if his offer is not more beneficial to the royal coffers, to grant the lease to Sir John.

THE EARL OF MAR to the KING.

1622, April 15. Alloa.—Most sacred Soveraigne, Wheras this place and charge wherwith it hath pleased your Majestie to honour me in the administratioun and handling of your Majesties effeares, obleysses me in duetie and alledgeance to make your Majestie foirsene and acquent with the true estate of your effeares, and what proportion thare is betwixt your Majesties casualities and rents, and the burdaynes lyand and daylie multeplying thareon, I have for this effect made choise of this beirar, Archibald Prymrose, your Majesties old servant (who hes some hand and doing in your Majestis service) to present unto your Majestie ane true and perfite relatioun and accompt of all the particulers concerning this bussynes, to the effect that efter due consideration thareof your Majestie may dispose of the same as shalbe most agreable to your Majesties honor and suirtie. And humbly praying your Majestie to vouchsafe unto this beirar your graciouse presence and benigne audience and credite in his relation of the premisses, I most humblie take my leave, praying the Almighty God to watch over your sacred persone, and to blisse your Majestie with the continewance of many long and happie yeares, I rest. *Copy.*

THE EARL OF MAR to the PRINCE.

1622, April 15.—Alloa. Pleas your Heighnes, since God hes brocht your Heighnes to that perfectioun of aige and knawledge that to all our confortts your Heighnes is most capable and sensible of the estait of your faithers efferis, and that this kingdome, being ane important member of his Majestie and your Hieghnes royell estaits (blissed by your nativitie) all people heir ar confident that your love and cair of it is als deir unto yow as any other part of your dominions. And albeit this countrie be poore, yett being weell managed, it may furnishe many trew hartis and able bodeis to his Majestie and your service, with means competent for the ordinarie charges, if it wer not over chairged by ane erronious custome begone amongst our people to equall thair expenssis to the maner of Ingland, with whome we can not in any degree compear in wealth, wherof the subjectis heir have found the harme, to the undoing of many of the best sort, and his Majesties rentis ar quite overthrowen by the like abuse of precepts and pensiounis risen frome fyve hundreth or ane thowsand merks Scottis to five hundreth [or] one thowsand pund sterling; whiche multiplicatioun hath so incressed his Majesteis

chairges heir as thair is no possibilite that this estait can subsist unles his Majestie be pleased to forbear imposing of forder burdens, and allow the course prescrived for recalling of pensiouns, Wherunto your Hieghnes authoritie and assistance being most necessarlie requisite I have directit this berar, Archibald Prymrois, one of his Majesteis old servants, to informe your Hieghnes of the trew present case of the affeires heir and most probable remedies, mor importing to your Hieghnes nor to me, who, being a temporarie servant, subject to the malice and complainttis of manye, greved for want of moneyis which I am unable to furnish, will calumniat me and importun his Majestie, unles I be protected by your Hieghnes and those courses manteyned which may retrench the abuses and reduce things to that proportioun whiche the estait of the countrie may bear. And so remitting the relation of all these particullers to the sufficiencie of the berar and humblie praying your Hieghnes to vouchsaif unto me your favorable, princlie audience and credit, I humble tak my leive, with my earnest prayers unto God to prolong your Hieghnes liffe with many long and happie yeires. *Copy.*

THE EARL OF MAR to the MARQUESS OF BUCKINGHAM.

1622, April 15. Alloa.—My honorable good Lord, According as wes agreeit betuix your Lordship and me at our last parting, that I should acquent your Lordship with such things tending to the weell of his Majesties service as should fall out in this estait, wherunto hithertills I have bene sparing, in regaird that I wes loath to truble your Lordship with matters of small moment, yett the estait of his Majesteis effaires heir ar now by his Majesteis too greit liberalitie growen to that height as for dischairge of my dewtie I am forced to derect this berar, Archibald Prymrois, one of his Majesties old servants, to present unto his Majestei ane breeff relatioun and accompt of the estait of his offices of recept, wherof by his Majesties favour I have the chairge, to the effect that after due consideratioun had thairof his Majestie may so dispose of the samyn as shalbe most agreable to his honour and ansurable to future occurrences. And sence the prooff of your Lordships faith and love to his Majestie and cair to procure the good of his estait hath deservedly acquired to your Lordship the principall trust of his heart, and my awin bigane experience of your Lordships noble favour to my selff, geveth me assurance of your Lordships favorable assistance in matters concerning the faithfull discharge of my dewtie in these his Majesties services committed to my fidilitie, I expect that your Lordship wilbe pleased to receave informatioun of the berar of these helpis which for the present appeir most necessary, and that your Lordship will give unto his Majestie your best advyse and opinioun thairanent. And so intreating your Lordship in these particullers to credite the berar, to whose sufficiencie I remitt the same, and with the remembrance of my best affections, recommending your Lordship to the Almightie, I rest. *Copy.*

KING JAMES THE SIXTH to the EARL OF MAR AND OTHERS.

1622, April 20. Whitehall.—JAMES R.—Righte trustie and righte welbeloved cosens and counsellours and righte trustie and welbeloved counsellours, wee greete yow well. Wee were pleased to directe a precepte to yow, our Treasorer, for payment to be made to our cosen, the Marquis of Hamilton, of the sume of ten thousand poundis starling, and also wrote to yow all to give way unto the same. And forasmuch as wee were pleased to grante preceptes to some others, so as question may arise which shoulde be first answered, wee have thoughte good by these presentes to require yow to preferre our said cosen and cause payment be made unto him before all others whatsoever. So nothing doubting of your conformitie to this our pleasour wee wish yow well to fare. Given at our pallace of Whitehall the 20th of Aprile, 1622. [There is added in the King's handwriting.] I promeised this unto him at his returne from Scotlande, and his service at that Parliament deservid a great deale more, thairfore according to his merite lette him be cheerfullie satisfied in this.

Addressed:—To oure righte trustie and righte welbeloved cosens and counsellours and righte trustie and welbeloved counsellours, the Earle of Mar, our Treasorer and remanent commissioners appointed for managing our rentes in our kingdome of Scotlande.

1622, May 18th. Theobalds.—Warrant by the King to the Earl of Mar, Treasurer, to grant relief from the pension due to Walter Stewarte, the King's servant, to the Viscount Aire, and John Levinston, also the King's servant, who have become cautioners for him in £100 sterling.

KING JAMES THE SIXTH to the EARL OF MAR.

1622, May 28. Theobalds.—JAMES R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Whereas the Ladie Lyone having allied hir sone according to our desire, wee were pleased to passe our royall promes to her that thereby wee shalbe engadged to have a care of the estate of her said sone. And being crediblie enformed that his father was obliged for Sir Johne Car of Litleden in divers greate summes of monie and that, in regarde of the manie comprysementes and inhibitions which are upon the estate of the said Sir John, the said Lady Lyone is in greate feare that there wilbe founde no cleere releefe for her sone, she hath bene an humble suiter unto us that (since the eschete and liferent of the said Sir John are fallen into our handes) wee wolde be pleased to bestow the same on her and the Earle of Louthian (who is joyntlie bounde with her late husbande for their releefe. And if the said Sir John be denounced at the instance of anie other, that then that debte for which he is denounced being payed, they may have the nexte place in that benefite. Which suite wee have founde so reasonable as wee have willinglie granted the same, not doubting but yee will readilie seconde our said grant by expeding the same according to the order. Farewell. Given at our Mannour of Theobaldes the 28 day of Maie, 1622.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour the Earle of Mar, our Treasorer of our kingdome of Scotlande.

1622, June 10. Greenwich.—Warrant, superscribed by King James, and subscribed by Geo. Cancell.; Mar, Th^{rs}; Melros, Landerdaill, Roxburgh, S. W. Oliphant and Kilsayth, directing the Treasurer and Comptroller of Scotland to pay to Sir Alexander Hay of Forresterseate, knight, for the services rendered by him to the King and Council for many years past, the sum of £3,600 Scots.

KING JAMES THE SIXTH to the LORDS OF SESSION.

1622, June 20. Greenwich.—Richt trustie and richt weilbeloved cousign and counsellour, and others our richt trustie and weilbeloved counsellours, wee greet yow weill. We haiff receaved your letter of the twentie of this monethe, and haiffing sufficientlie considderet thairoff we find it indeid a thing unaccustoumed that any of your nomber sould be brocht to plead at the bar giff he haiff not bein declyned for partiall counsell or some uther reasonable cause. For our pairt, as we love not to be author of novelties, so at this tyme we wold be lothe to urge any of yow to that quhairunto ye haiff no inclinatioun of your selffes. As for this actioun intentet be the Erle of Mare we ar weill pleased that he quhome the Lord Elphingstoun sall choose out of the nomber of advocatts to supplie the place of ours sall be authorised frome ourselff as our Advocat in that cause, have our rollis and registers patent for his instructioun, sufficient tyme gewin him for his informatioun, be heard be yow withe lyk care and attentioun, and be regarded and respected by yow in all points concerning the said actioun as our ordinarie Advocat. Wherin nothing doubting of your conformitie to our pleasour, we bid yow fairweill. *Contemporary copy.*

KING JAMES THE SIXTH to the ADVOCATE [SIR WILLIAM OLIPHANT].

c 1622, June — .—Quheras upon the informatioun off your just ressones off refusing to compeir aganis the Erl of Mar in that action depending betuix him and the Lord Elphinstoun, we wer plesit to admitt off your excuse and to substitut one in your roums, so we ar thus confident and assured off your vigilant cair and faythfull service in our effaires that we ar persuadit ye will not suffer our name to be usit in any persuit to be movit be ather off the saids parties aganis utheris without our speciall knaulege and allowance. For as it is oure speciall plesure and contentment that the course off law go indifferentlie to all but respect of persoun, so we think it nawais aggreabill to our royall persoun and soverane place quhilk we beir that our name and titill salbe usit at the appetit of any partie as ane principal persewar to his behove for fortifeing off his privat entres, except it be first weill and advysedlie considerit quhat is

our particular rycht to the lands controvertit betuix the parties, and that our awin warrand preceid commanding yow and our officiaris off estaite to insist in the persute off our said particular rycht in our name. And thairfoir it is our speciall will and pleasur that if any suche persuite be movit in our name for our particular rycht and titill in the said matter controvertit betuix the said Erl of Mar and the Lord Elphinstoun that yow, as our Advocat, nawais assist the said persuite, but disassent thairfra till ye acquaint us thairwith and ressave our speciall will and plesur thairanent, and that ye intimat this our will and declaratioun to Mr. James Oliphant, your sone, quho is substitut in your place in the said caus depending betuix the saids Erl of Mar and Lord Elphinstoun to the effect he maye conforme himself thairto in al points. So trusting in your cair and fidelitie heirin, we bid yow fairewell. *Contemporary copy.*

These is a copy of the King's letter to the Lords of Session to the same effect.

1622, July 7. Windsor Castle.—King James the Sixth to the Earl of Mar, Treasurer, and Sir William Oliphant, King's Advocate, requiring them to examine the title deeds of certain lands belonging to Sir Robert Stewarte of Shillinglaw, held by him ward and relief, and which he has petitioned to have changed to taxt ward, and see how such change will affect the King's commodity. If they find that he is not wronged thereby, they are to expede a new charter to Sir Robert of all his lands, erecting the same into a barony to be called the barony of Kingesbrough.

1622, July 7. Windsor Castle.—King James the Sixth to the Earl of Mar, Treasurer, authorising him to expede a grant of the tack of the assise herring of Scotland to the Duke of Lenox, upon the expiry of the present tack. He is to pay for it the same yearly duty as is now paid. At present the collectors of the assise herring are frequently great hinderers to the officers of the Admiralty in the discharge of their office, which by this means will in future be avoided.

1622, July 8. Windsor Castle.—Warrant by the King to Treasurer Mar to pay to Lord Kinclevin his pension and the arrears thereof, as he can hardly live without it.

1622, July 9. Windsor Castle.—Warrant by the King to the Earl of Mar, Treasurer, to expede a gift of the ward and marriage of the heir of Sir Laughlane Makintosh (whom "it hath pleased Almightie God to calle oute of this mortall life"), to Sir Patrick Murray, knight, for behoof of the said child; "becaus wee understande that at the time of his decease he was far engaged and his estate of living sore hurte, whereby his house is now verie weake."

1622, July 14. Wansted.—Warrant by the King to the Treasurer Mar, to cause the King's Advocate take measures that Mr. William Kellie, who has purchased from the Earl of

Holderness the feu duties of East Barnes, and is reported to be usurping certain prerogatives to the prejudice of the King and his tenants, which he had no title to do, conform himself to the laws and customs of the country.

1622, July 28. Theobalds.—King James the Sixth to the Earl of Mar, Treasurer, and the remanent commissioners of his rents, referring to them a petition by William Middlemest, keeper of the fort and castle of Dumbarton, for arrears of pay, and requiring them to satisfy the same if they find equity so demands.

1622, August 21. Bagshot.—King James the Sixth to the Earl of Mar, Treasurer, desiring him to grant the gift of the escheat and liferent of John Stewart of Coldinghame, which has fallen into the King's hands through his continuance at the horn, gratis, to any such person as the said John shall nominate. He rather pities his distressed estate than will suffer him in anywise to perish.

THE EARL OF MAR to the KING.

c. 1622, September.—Most gracious Soverane, Becaus of the warrands directit by your Majestie for pament of my Lord Chanceller, the Marques of Hamiltoun, and Thomas Pudsey of ther moneyis out of the first and second termes pament of the taxatioun, ther wilbe no moneyis at this nixt Mertimes terme wherwith to buy in any of these pensions, whiche your Majestie hath appointit to be bought, for laik wherof your Majesties debts will incres, and the possibilitie of pament therof wilbe the harder. For remead heirof I do heir present unto your Majestie my owen simple opinioun, leaving to your Majesties good consideratioun to embrace or reject the samyn.

If your Majestie wilbe pleased that ane hundreth thousand merkis shalbe borrowed upoun interest, I hoip so to manage the same as I shall buy in of yearlie rent to your Majestie frome these pensioners tuentie thousand punds. The rent to be pait for this borrowit money in ane year and ane half will extend only to ten thousand punds, and the rent to come in to your Majesties cofferis in that space will extend to threttie thousand punds, so as your Majestie hes three pennys to come in for ane yow give out. I dar not promise in regaird of your Majesties former warrands that this one hundreth thousand merks can be pait in shorter tyme nor ane year and ane half efter Mertemes, frome whiche tyme furth your Majestie wilbe freed of pament of the annuell therof. Iff your Majestie allow of this my opinioun and will let me have your warrand for pament of this one hundreth thousand merkis, with the annuell therof out of the readdiest of the taxatioun and your Majesteis rents (the Marques of Hamiltoun being first pait), I shall ingadge myselff and my frends our credits for borrowing therof. I have ordanit Williame Barclay to attend your Majestie and to receave your directioun heirin, whome it will pleas your Majestie trust

Copy.

King James the Sixth to the Earl of Mar.

c. 1622, September.—Right traist cousing and counsalour, wee greet yow weell. Wheras by our former letters directit unto yow for pament of moneyis out of the taxatiouns grantit to us in that our kingdome, we understand that yow have already pait to Sir George Hay of Kinfawnis, knight, our Chanceller, ane thousand punds sterling, to Thomas Pudsey of Chapeltoun ane other thousand punds sterling, to Archibald Prymrois for two jorneyis made by him to our court for the mater of the same taxations, two hundreth punds sterling, and yow have yet to pay to our cousing the Marques of Hammiltoun tuelf thousand punds sterling, by whiche occasioun ther wilbe no ready moneyis in our coffers ther at this nixt Mertimes terme to buy in any of these pensions whiche by our warrants directit unto yow we desired yow to buy in to our use, wherby our debts ther will incres and the possibilitie of pament therof will be the harder; for this caus we have thought upoun a second means for preventing of the incres of our debts, whiche is by lifting of moneyis upoun interest to pay for buying in of some of these pensions, and the sowme that we wold have liftit for this effect is ane hundreth thousand merkis Scottis money; whiche being weill managed we think the same may buy in to our use tuentie thousand punds of yearlie rent frome the saids pensioners. And as yow have hithertills geven us a good proofe of your cair in all thingis tending to the weell and fotherance of our service, so now we do expect the like, and doubtis nothing of your forewartnes heirin; and for this caus we must lay a burdene upoun yow whiche altho it may seame hard at the first, yet yow shall see that the samyn shalbe without your losse or danger. We will heirfoir desire yow as yow tender the weell of our service that by your awin credite and the credite of your frends yow will lift this ane hundreth thousand merks upoun interest, and buy therwith so many of these pensionis to our use as by your good manageing therof yow can. For doing wherof and repament of the same to yow with the interest therof, so long as the samyn shalbe unpait we have assignit unto yow our haill rents and casualities of that our kingdome with the haill foirsaids taxatiouns (the moneyis to be disbursed for the necessarie effairs of our estate with the foirsaid twelf thousand punds sterling to the Marques of Hammiltoun being first pait), and to this effect we have sent unto yow heirwith ane warraunt and assignatioun signed with our hand. And so expecting your cairfull furtherance of our service herein we bid yow heartely fairweell. *Contemporary copy.*

1622, October 18. Royston.—King James the Sixth to the Earl of Mar, Treasurer, approving his care in the matter of the forest of Glen Amond, which has been reported to him by Sir Patrick Murray, the King's servant, and desiring that he will now prosecute the matter vigorously with the Advocate in causing the persons interested produce their rights before the Session; and also perform the promise he had made concerning the Laird of Lawars.

KING JAMES THE SIXTH to the EARL OF MAR.

1622, October 21. Royston.—JAMES R.—Right trustie and right welbeloved cosen and counsellour, wee greete yow well. Yee remember that at your last being here, now more then a yeare agoe, we acquaynted yow with oure opinion of the necessitie of a deputy-thesaurer, but at that time yee desired that wee wold delay the establishing of one till by some times triell yee might know what yee wer able to doe be yourself, promiseing therafter to advertise us, yf yee should find your self of strenth ynough to undergo and supporte the whole burden of the paynes and service incident to your place. And now, seing in the space of a whole twelve moneth and above, wee have hard nor receaved nothing from yow touching that purpose, except your accompts sent to us with Archebald Prymroise (whiche being sufficient witnesses of your paynes and diligent care in the exercise of your place wee could not but be well pleased with) wee are therfore the rather persuaded to persist and proceed in oure former resolution, and soe at this time (what wee wes ever resolved at some time to doe) to establishe a deputie thesaurer; that as there is here a Chauncellour of Exchecker (being even the verie same officer) so a deputie-thesaurer may be there, both to ease the principall thesaurer of a part of the burden and paynes, and also to beare witnes of the integritie of his actions in the exercise of his service, whiche wee doubte not but yee will estime to be therefore no lesse expedient for your honour and credite then for your ease and furtherance of oure service. Whiche wee assure oure self by your paynes, taiken therein be your self alone this yeare and more bypast yee have broght to such a solide estate as hereafter it wilbe easie for yow with such a helper to proceed therein both to our pleasure and proffite. These respects above specified having moved us to this resolution of establishing a thesaurer-depute, wee could think of none more fitting than oure olde servant, Sir Archebald Naper, and have therfore made speciall choise of him to be preferred to that place, knowing that no man will take exception against him, since by long experience wee have had good proofe both of his sufficiencie and fidelitie; and he being therewithall frie of partialitie or any factious humour, as tied to none but oure self, with whome he hath beene bred even from his youth. And so not doubting but yee will cherishe and encuradge him, as wee are confident that by charging himself he will endevour to ease yow of the most fasheous and burdenable part of your service, in that assurance wee bid yow farewell. From oure Courte at Roiston the 21th of October, 1622.

Addressed:—To oure right trustie and right welbeloved cosen and counsellour, the Earle of Mar, oure principall Thesaurer of our kingdome of Scotland.

1622, October 21. Royston.—Warrant from King James to the Treasurer, the Earl of Mar, to expede a gift which the King had made to William, Earl of Angus, of the escheat of the Earl of Louthiane so far as it extended to the liferent escheat of Sir John Carmichael of Medoflat.

1622, December 3. Newmarket.—Warrant by King James to the Earl of Mar, Treasurer-principal, Sir Archibald Napeir, Treasurer-depute, and the remanent commissioners of the King's rents, to pay to Lord Gordon the arrears of his pension and other sums due to him, which the King had already several times recommended to them, but now more earnestly, because of Lord Gordon's outlays in repairing of the Castle of Invernesse, and because his cautioners are pressing him very hardly. Payment is to be made either from the taxation or other readiest moneys in the royal coffers.

1622, December 10. Newmarket.—Warrant by the King to the Treasurer, Treasurer-depute, and remanent commissioners of his rents, to pay the pension due to David Murray, who has brought the King's pinnace hither, and has had no other recompence but his pension.

1623, January 23. Whitehall.—King James the Sixth to the Earl of Mar, Treasurer, Sir Archibald Naper of Merchiston, Treasurer-depute, and the remanent commissioners of his rents. Patrick Hamilton, the King's servant, has made humble request to him in behalf of Sir George Hamilton of Blaikburne, John Ersken of Bagonie, William Dick, John St. Clair, and others, with himself, to whom the Earl of Caithness and Lord Berridaill, his son, are in great debt, that the gifts of the escheats and liferents of the said Earl and his sone may not be passed through the seals until their claims be first settled; and this the King desires may be attended to.

1623, January 28. Whitehall.—King James the Sixth to the Treasurer and the remanent commissioners of his Majesty's rents. As William Hay of Strowie has lately died, and had in his hands at that time the greater part of the estate of Archibald Hay, chirurgeon in ordinary to the King, he desires that the latter may be preferred upon reasonable conditions to anything which may fall to the Crown by William Hay's decease.

King James the Sixth to the Earl of Mar.

1623, March 6. Theobalds.—James R.—Right trustie and welbeloved cosen and councellour, wee greete yow well. Haveing perceived by the returne of that commissioune which we directed unto yow for the surveigh of Glenalmond, that the boundes thereof is fitt to be a forrest, wee have moved our trustie and welbeloved Sir Patrick Murray, knight, gentleman of our privie chamber, to dimitt his part in our favours, and have wreatin to our right trustie and welbeloved councellour, Sir George Hay, knight, our Chancellour, and to our right trustie and welbeloved cosen and councellour, the Earle of Melros, our President, to agree with our trustie and welbeloved Sir James Cambell of Lawers, knight, for his part; and doe will yow to give him satisfactioune for that sowme which shall be considscended upon by them. For doing whereof these presentes shall be yowr warrant. Wee desyre lykewyse that yow deale with our

trustie and welbeloved Sir Duncan Cambell of Glenurqhie, knight, concerning that parcell belonging unto him, whom wee doubt not but yow will find well disposed for the furtherance of any thing that may import our pleasure. And because howsoever that take effect, wee are resolved to plenishe that boundes there which wee have already compounded for, with as much diligence as can be used, our pleasure is that yow speake to all noblemen and others thereabout who have any red deere, that they give us some for that purpose; as lykewyse that yow appoint a forrester for keeping thereof with such allowances as yow think needfull to him, till wee determine who shall have that charge. So not doubting but yow have a speciall care of this, wee doe bid yow farewell. From our Court at Theobalds, the 6th of Marche, 1623.

Addressed:—To our right trusty and welbeloved cosen and counsellour, the Earle of Marre, our Treasaurer of our kingdome of Scotland.

1623, March 14. Newmarket.—King James the Sixth to the Earl of Mar, Treasurer. On the death of the last Earl of Crawford, not only were no means of maintenance provided for his wife and children, but since then his said wife has been hardly used by the said Earl's son and other friends. As she was long a faithfull servant of the late Queen, the King recommends her to their special furtherance, and forbids them to show any favour to the present Earl of Crawford in anything at the King's gift, and especially his escheat, till some competent means be taken for the suitable maintenance of the said Countess and her children.

1623, March 26. Newmarket. Warrant by the King to the Earl of Mar, Treasurer, and collector of the taxation, to deliver over to the Treasurer-depute all the money thus gathered in, or which shall be gathered in, "to be used by yow and him according to our warrantes and directions formerlie given to yow and now to him."

1623, March 28. Royston.—Warrant by the King to the Treasurer and Deputy Treasurer to cause the penal statutes enacted in the last Parliament to be enforced. He has reason to suspect that there is great negligence herein, as the greatest number of petitions received by him from Scotland are grounded on grievances from one penal statute or another.

1623, March 30. Theobalds.—Warrant by King James the Sixth to the Earl of Mar, Treasurer, and Sir Archibald Naper, Treasurer-depute, to call Archibald Primrose, collector of the fines imposed upon the resetters of the Macgregors, to account for his intromissions therewith, and cause him to deliver such moneyes as are in his possession to Sir James Campbell of Lawars. And as some of the fines imposed have not yet been uplifted, they are to see that they are presently brought in, as the King is convinced that there is no better way to suppress any rebellion in these parts than severely to punish the resetters and abetters of the rebels.

1623, March 30. Theobalds.—King James the Sixth to the Treasurer and Treasurer-depute. He has written to the Earls of Montrose and Perth to go and view the lands of the Laird of Lawars adjoining Glenamond,and requiring them, if it be found that they are worth adding to the proposed forest, to negotiate with Lawars for their acquisition, and to promise him the keepership of the half of the said forest, provided his price is reasonable, and that he undertake to plenish the same with a stock of red deer.

1623, April 24. Windsor Castle.—King James the Sixth to the Earl of Mar, Treasurer. He has heard of the pitiful estate of Lord Borthwick and that his escheat and liferent are sought still by several persons to his utter overthrow. He requires, therefore, that these be disponed to no person but such as the Earl of Nithsdale and Viscount Annan will name on his behalf. Further, as the King has granted to the Earl of Nithsdale a gift of the nonentry of his own lands, so he requires the Treasurer to give way to the passing of the said gift.

1623, April 24. Windsor Castle.—Warrant by the King to the Treasurer and Deputy Treasurer to pay in due course the pension granted to the King's ancient servant, Mr. Patrick Galloway, "as one of the first and best deserving of our servants," together with all arrears, payment having been hitherto neglected.

1623, April 24. Windsor Castle.—Warrant by the King to the Treasurer and Deputy Treasurer to expede with diligence the signatures which he has granted to "the poore widow Macolo, wyfe to the late Doctor James Macolo, our phisition," of the gift of the wadset lands of Myrtoun, Cardnes and Anchinfluirs in Galloway, pertaining to the King's late servant, Dr. John Macolo, for any right his Majesty has to them as last heir or otherwise.

1623, May 6. Greenwich.—King James the Sixth to the Earl of Mar, Treasurer. He is informed that the condition of "the house of Sauchie is so far hurte as if anie harde dealing shoulde be used with Alexander Schaw now of Sauchie in such thinges as may be dew to us frome him, it mighte threaten his utter overthrow." He therefore requires that his marriage be disponed to none but himself, and if any part of his lands are fallen in nonentry, that it be disponed either to himself or some friend to his behoof. The King is perswaded that the Earl of Mar would of his own accord have done this much for the welfare of that house, without this recommendation.

1623, May 9. Theobalds.—King James the Sixth to the Earl of Mar, Treasurer, the Viscount of Stormont and Sir Duncan Campbell of Glenurquhay. The Earls of Montrose and Perth, having been sent by him to view the lands belonging to the Laird of Lawars, adjoining Glenamond, and report upon their fitness to be added to the commonty thereof, had reported

that there were other adjacent lands fit to be annexed thereto and converted into a forest. He therefore requires them to go and view all these lands belonging to the Laird of Lawars, Sir Patrick Murray and others, and report upon them, and also in generall all that has been done by them and the Advocate about this business of Glenamond, which they have had so long in hand.

1623, May 9. Theobalds.—Warrant by King James to the Treasurer and Treasurer-depute to survey the King's house of Huntingtoure, which is decaying daily, and like to fall to total ruin if it be not presently repaired. A little outlay now will prevent much greater cost afterwards.

KING JAMES THE SIXTH to the EARL OF MAR.

1623, June 22. Wansted.—JAMES R.—Right trustie and welbeloved coosen and counsellour, wee greete yow well. Though wee were pleased by our letter with our trustie and welbeloved counsellour, Sir Archibald Naper, kyncht, to give order that all such moneys as were receaved of the ordinary and extraordinary taxatiouns granted to us in that our kingdome and not given out by yow according to our former warrants directed for that purpose should be delivered unto him; as likewise by an other letter wee did appoynt the comissioners of our rents to heere the accompts of your recepts and deburseing of the first and second termes of the said taxations; yet this our purpose did no way proceed out of any distrust that wee had of your faithfulnesse or diligence in doeing our service, nor anyway to derogat from that degree of trust due unto your place, which was neither desired by any other nor intended by us; but it was onely that knoweing thereby what moneys were alreadie receaved and what were to come in that wee might dispose thereof for buyeing in of pensions, payeing of our debts, and repaireing of our houses according unto that order which was sent unto yow first by Archbald Primrois and last by the said Sir Archbald Naper. And therefore that our meaneing therein be no wayes mistaken, oure pleasour is at such tyme as yow find most convenient that yee acquant the comissioners of our rents with the estate of the first and second termes payment of the said taxaciouns, and that yow have a speciall care that the moneys resting, if any bee, or arriseing by the termes to come, may bee brought in to our Exchequer and disposed of by yow for the uses forsaid according to our warrant formerly given to that effect. And although wee know that yee can not make a perfytt account till all the four termes bee passed, yet wee doubt not yee will carefullie use your best endevours for our satisfaction according to the trust wee have in yow. And likwise wee will yow give your best assistance to the said Sir Archbald by your advise and direction, procureing him all the warrant and auctoritie that may stand by law for surveighing of Orknay according to the course we have appoynted unto him by our last letter, haveing out of a late consideratioun altered that which was intended at first So beeing confident of

your sufficiency and affection for the furtherance of any thing that may tend to the good of our service, we bidd yow farewell. Given at our Court at Wansted the 22th of June, 1623.

Addressed:—To our right trustie and welbeloved coosen and counsellour the Earle of Marre, our Thesaurer in our kingdome of Scotland.

1623, August 8. Salisbury.—King James the Sixth to the Treasurer and remanent commissioners of his rents. He has on several occasions granted warrants for payment to Mr. James Seaton, servant of the Duke of Lenox, of the sums of money due to him; but in the roll signed by the King and sent to them by Archibald Primrose his name had been omitted, as the King believed he had been paid long before. Seaton has now informed him that he had never received any payment, and that his repeated journeys to obtain new precepts have been very expensive to him. The King therefore requires that payment be made of his debts as soon as his more important affairs will permit.

1623, August 8.—King James the Sixth to the Treasurer and remanent commissioners of the King's rents. William Murray, the sone of Sir Gideon Murray, late Treasurer-depute, hath for himself and the rest of his brothers petitioned for payment of the annuities granted to them from Exchecker, of which they complain they can get no payment. In respect of the good services of their deceased father, the King strongly recommends them for special favour; and that some arrears of salary due to him at the time of his death be now paid to them as soon as other important affairs will permit.

1623, August 10. Cranbourne.—King James the Sixth to the Treasurer and remanent commissioners of his rents. He has heard that George Fawsyde has put violent hands upon himself, whereby all his moveable goods have fallen into the King's hand. He requires them to expede a grant thereof to Henry Ereskin, son of Sir James Ereskine of Tillibodie.

1623, September 19. Theobalds.—King James the Sixth to the Treasurer and Treasurer-depute. He has mortified certain small benefices to his Chapel Royal, and they are not to set any tack of any such benefices till those to be allotted to the said Chapel are designed and the grants thereof passed through the seals.

1623, December 2. Theobalds.—King James the Sixth to the Treasurer and Treasurer-depute. They are not to dispose of anything belonging to James Johnston of Longhouse [Lochhouse], commonly called Captain Johnston, who is a fugitive from justice, until they receive further instructions.

1624, January 19. Newmarket.—King James the Sixth to the Earl of Mar, Treasurer, Sir Archibald Naper, Treasurer-depute, and Sir William Olyphant, knight, King's Advocate. The Laird of Drumlanrig has raised a summons of improbation against all the tenants of the lordship of Torthorwell, and amongst the rest James Johnston, commonly called Captain Johnston, for his lands of Thornick. who being under the

censure of the laws, such action may tend to defraud the King s coffers of what may be due thereto by his conviction. He requires them to guard against this.

1624, February 17. Newmarket.—King James the Sixth to the Treasurer and Treasurer-depute. He had written some months ago about a contribution for the town of Dunfermline,* and now understands that his "dearest sone, the Prince, hath bestowed five hundreth poundes starling for that effecte. Although he be much more interessed in the particulare then wee, yet wee wolde be loth to be behinde him in so charitable a worke." He therefore requires them to inform him how the like sum may be spared, his more necessary service being first provided for.

1624, February 20. Whitehall.—King James the Sixth to the Treasurer and Treasurer-depute. He has recommended to the Viscount Annand the rebuilding and repair of the decayed Castle of Lochmahen, for which he has allowed him the sum of £1,600 sterling, but specified no term for its payment, as he does not intend that this work should be any hindrance to the repairing of his other houses. He has instructed Sir James Baillie to remind them of this, and that when the work is undertaken they may cause the Master of Work carefully to survey and direct the same, and keep an exact account of the money spent upon it.

HENRY ERSKINE to the EARL OF MAR, HIS FATHER.

1624, March 1. London.—My Lord, pleas your Lordship, Be the reseat of your Lordships last of the 20 of February, I perseaved your Lordship had reseaved meyne of the fifth of that month, quhilk had rune very slowly post. I am wery glad your Lordship reseavit my brother Alexander letter, and I am certane before this your Lordship hes reseavit his uther paket, quhilk your Lordship in your last letter thoght had beine miskaried. Be all his letters your [Lordship] will perseave that he hes optind the Prince of Orang leive to deall with any Scotsman for a companie of hors; so in my mynd the shuner it be doune it be the better both for your Lordship and him. For so long as he hes no imployment, ther will every day fall out such occasions of spending as he nor any wther of his qualitie quho liveith ther can not for ther heart get eschewed. For now presently the Prince of Orange with his hole armie wes forced to go all to the fields, and Alexander with his credit could not have stayed behind the armie, so that he was forcet to take upe 500 francs quhilk he nor no wther could gett eshewed. And Alexander hes wreatin to me that so he may be both less chargis to his parents and less trouble and grief to himself. He says be God all the world should not make him to stay any longer ther. This fare he wreat to me in a letter of his,

* The town had been almost destroyed by fire on 25th May, 1624. The above letter is dated according to the then English order and should therefore be 1625 *more Scottico*.

quhilk I thogh good to advertice your Lordship of, that your Lordship might doe all possible diligence to end with Capten Wrwing. I have wreatin to my brother Alexander to come heire, therfore your Lordship may send your letters to him at this Court with me. I am very glaid to heir that your Lordships action is leike to come to some good end. I have spoken my Lord Mortone according to the tennor of your Lordships direction anent my Lord Marqueis, quha says he will doe wery weill; bot I will say nothing to your Lordship except I have some warrant quhy I spake it. Sence my last to your Lordship I have delyverit to his Majestie your Lordships letter, and as neir as I could to your Lordships instructions I have from your Lordship tauld his Majestie the raisons that mowed your Lordship to condescend with the rest of the Lords to the fewing of Orknay. Quhilk raisons his Majestie seimed to be wery weill pleased with, and sayd that he thoght thes raisons were wery materiall, and that he did find ewery body of your Lordships opinion in that. He sayd that he wos sory your Lordships halks he sent yow were so misgeydit, and he wald faine have an wther stricwie, for Sually is becoming auld. And this was the substance of all that passed betuixt his Majestie and me.

The Parliament heir sitts ewer six days of the weeke, and praisit be God it is leike to be the best Parliament that hes bein in Ingland thir many yeirs. They begowed the first five or six days and wer consulting about maters of religion quher they decreyd to restore all auld Acts of former Parliaments mead against the insolencies of Papists to ther first autoritie and full wigour; yea and are resolved to ad some new Acts to the auld for that effect. The Prince, my Lord Bukinghame, and Secretear Calware and Conowey, hes mead in presence of the hole Parliament a full relation of all particulars that past in the Traittie both of the match with Spaine and for the restitution of the Palatinat. Quhilk relation my Lord Melros can leit your Lordship see the particulars of it, for I knaw on that hes sent it to his Lordship. My Lord Bukinghame, as on of the chief actors in these businessis, spake most part of the relation. The Spanish Ambassadors were exceeding offendit with my Lord Bukinghams relation to the Parliament, in so mutch that they went to the King, quho then was at Hampton Court, and compleaned that my Lord Duke of Bukinghame had done ther maister, the King of Spaine, so great a wrong in presence of the hole Esteats, that if the best soubject of Spaine had done the lyke wrong to the King of Great Bretaine it had cost him his head. So shune as my Lord Bukinghame hard this he went to the Parliament and tauld that the Spanish Ambassadors had sought his head from the King for the wrong that he had done to the King of Spaine in audience of the hole Parliament; so he desyred them to declaire quhether or not he was innocent of the Spanish Ambassadors imputation. So all the Parliament declared him to be free from any thing was layd to his charge be the Spanish Ambassadors; so that in place of dowing my

Lord Bukinghame wrong the Spanish Ambassador did him on of the best offices that ewer wos done to him sence he wos a man, for it hes gotten him the goodwill of many of the Lawest House, quhilk he had not, and hes removed all jealouseis from sutch as souspected that it wos bot collucion all thir jars that seimed to be betuixt the too mignons.

Upon Satirday the penult of February the Lords of the Upper House of Parliament did sitt in consulting and deliberating about the match with Spaine, and the restitution of the Palatinat, and the hole Lords of the Upper House (I thinke some for love and some for feire) all with on consent did conclud that it wos most expedient both for his Majestie and his childrings weill and credit to give upe and breake off both the traittie of the match and that for the restitution of the Palatinat. And this day the Lower House deliberats and consults upon thes same particulars, so that quhen they have concludit, therefter the too houses of Parliament will all meit together and then acquent his Majestie with ther wills, to see give he will ratifey them; quhilk he can not cheus bot doe, albeit he could wis it wtherways, seing both the Prince and all the Esteats ar so sett against that match, and so despered of the peaceable restoring of the Palatinat. And as they conclud your Lordship shall heire of it with every occasion. Ther ar too extraordinaire Ambassadors neuly commed ower from the Esteats quho ar winderfull weill reseavit heire of all men, both be King and wthers; quhilk greifues the Spanish Ambassadors extremely. Yesterday they had ther first audience. I meynd quhen Alexander comes ower to desyr the Prince to speake them in his favours. The Spanish forces that come ower the rewers upon the eyce, both to the Beltaw and to Freisland, pat a hoat alarme amongst the Esteats; bot, praised be God, they war forced to retire, without doing any hurt to the Esteats, and with the loss of some men to them selves.

I am in sutch heast that I most desyre your Lordship to impart your news to the rest of your freinds; for I can have no tyme to wreat. For God's cause, my Lord, make the best excuse that can be that I wreat not to my Lady, my mother; for if I wreat to her I must wreat the veritie, and if I should doe so, my Lord Duc of Lenox business are leike to go so bakwardly heire that I am certene if she should knaw it it wald augment her greif; quhilk I feire is not necessaire at this tyme. Only I most tell your Lordship that Sir George Elpingston presses be all means possible to intrud him self in my Lord Duc of Lenox affaires; therfore I should be glaid my mother should wreat hire opinion to hire brother of that man; for I have both spokin friely to my Lord Duc of him muself and hes mead all my freinds to speake to him to bewar of that man. Bot my Lady, my mother, hire letter wald doe no hearme. So this being all, wissing your Lordship all trew happiness, I rest, your Lordships most humble and obedient sone and servitor, Henrie Erskine.

London, first of March, 1624.

Addressed:—To my most honorable good Lord and loowing father, the Erle of Mar, Lord Hegh Threasaurer of Scotland, These.

1624, March 20. Okine [Woking].—King James the Sixth to the Treasurer, Treasurer-depute and remanent commissioners of rents. He has conferred upon the Earl of Nithisdaill and Viscount Annand the gift of the escheat and liferent of James Johnstoun of Thornik, called Captain Johnstoun, and also signed a signature to them of such lands as Captain Johnstoun held of the King before his rebellion, so that they may be received as tenants therein by the Laird of Drumlanrig, superior thereof. He requires them therefore to further this matter and to take no composition for the same.

1624, April 2. Theobalds.—King James the Sixth to the Treasurer, Treasurer-depute and remanent commissioners of rents. John Auchmoutie, Master of the King's Wardrobe in Scotland, has moved him, in respect of the meanness of the fees formerly paid to the keepers of the tapestrie and moveables of the wardrobe under him, to sign four new signatures to these persons, granting them each the daily fee of one merk Scots. He therefore requires them to sign and pass these signatures and especially a grant in favour of Martin Leache, as one of the four, in place of Nicolas Elmar, who has died.

1624, April 9. Theobalds.—King James the Sixth to the Treasurers, principal and depute, and remanent commissioners of his rents. To expede a gift to Sir Robert Ker of Ancrum, gentleman of the Prince's bed chamber, of the escheat and whatever else has fallen to the King belonging to the late Earl of Lothian, by reason of his death.

1624, May 21. Greenwich.—Warrant by the King to the Treasurer and his depute to uplift the fines imposed by the King's command on William Rig, bailie of Edinburgh, and several others, "for their presumptuous and seditious behaviour towards their ministers," and not dispose thereof without special instructions.

1624, May 21. Greenwich.—Warrant by the King to the Earl of Mar, Treasurer, to pay a small balance of money due to the Earl of Morton, which will be a service most acceptable to his Majesty if done speedily.

1624, July 7. Windsor.—King James the Sixth to the Earl of Mar, Treasurer. When the Earl disposed of the escheat of the late Lord Ogilvie to James Renton, the King understands that, as was customary, he took bond from the Earl of Melros that this gift should not prejudice Lady Ogilvie and her children. His Majesty finds that she is debarred by virtue thereof from having any portion of her Lord's moveable goods or estate, and therefore he requires the Earl to see that the said bond is observed, so that she may recover the portion due to her and her son according to equity and good conscience.

1624, July 7. Windsor Castle.—Warrant by the King to the Treasurer and Treasurer-depute. Understanding that the creditors of the Earl of Nithesdale, more out of rigour than necessity, have put him and his cautioners to the horn, he requires them not to dispose of their escheats until his Majesty intimates his further pleasure.

1624, July 10. Royston.—King James the Sixth to the Earl of Mar, Treasurer, and Sir Archibald Naper, Treasurer-depute. He thanks them for their letter regarding the pensions he has granted to Braidkirke and the widow of Robert Monteith. "Yee neede not requeste us to holde in our hand hereafter, for wee are and shalbe sparing aneugh in that kinde." But Braidkirk is "an olde servant and hath long served us, being at greate charges everie yeare to bring us houndes and attende us in our winter sportes, and therefor wee are verie willing to do him good," but if they can buy in his pension at an easy rate, or put him off with partial payments, he would be well pleased. As for the widow, either as to herself or the making of any grant to her, his Majesty will be satisfied by their taking any necessary course with her claim.

1624, July 18. Royston.—King James the Sixth to the Earl of Mar, Treasurer, and remanent commissioners of his rents. He lately signed a new gift of his lands to James Keeth of Benholme, with no intention of thereby injuring any other person; but it has been shewn to him that it will hurt others, especially the mother and younger brother of the said James, and therefore he requires them not to expede the said gift without first securing the other persons in their lawful rights.

1624, July 28. Kirby.—King James the Sixth to the Treasurer and Deputy Treasurer. The creditors of the Earl of Nithesdale have dealt so hardly with him and his cautioners as not only to put some of them to the horn but to comprise their lands. This is more out of malice than necessity, and as it is in his Majesty's option what tenants to receive he directs them to grant no confirmations nor infeftments upon this procedure until they hear further from him.

1624, September 23. Theobalds.—King James the Sixth to the Earl of Mar, Treasurer, and the remanent commissioners of his rents. He had formerly granted the liferent and escheat of James Johnstone, with his lands, to the Earls of Nithesdale and Annandale; but now he has made the grant to the Earl of Annandale alone, and requires them to expede the same to him gratis.

1624, October 4. Royston.—King James the Sixth to the Earl of Mar, Treasurer, and the remanent commissioners of his rents. He has signed a gift of the lands of Kintyre to James Campbell, eldest lawful son to the Earl of Argyle by his second wife, and requires them to show him all lawful favour in the passing thereof.

1624, October 7. Royston.—Warrant by the King to the Treasurer and Deputy Treasurer to expede to Patrick Maulle of Panmure, the King's servant, the escheat and liferent of Mr. Richard Murray of Cockpool.

1624, October 11. Royston.—King James the Sixth to the Earl of Mar, Treasurer. The Deputy Treasurer has given the King an account of the Exchecker, which the King finds to be in a better condition than he expected, and therefore gives the Earl his hearty thanks for his great care and pains therein. To guard against impecuniosity upon more urgent occasions he requires the Earl to sequestrate in the hands of the Treasurer-depute the yearly revenue of Orkney from Martinmas next, or if that is not possible, the following Whitsunday.

1624, October 11. Royston.—Warrant from the King to the Treasurer and Treasurer-depute to receive the son of the Earl of Roxbrough as immediate tenant to the King in his father's lands, who has placed him in possession of the fee thereof.

1624, October 29. Royston.—King James the Sixth to the Earl of Mar, Treasurer, and his remanent commissioners of his rents. At the last Justice Court at Dumfreis several persons were cited for using firearms unlawfully and found caution for compearing when required. They are to call for the names of such persons and their cautioners and uplift from them such fines as their offences deserve. Further, they are to direct the Master of Works to go to Loughmaben and choose a proper place on which a convenient tolbooth may be built, the cost of which is to be defrayed, as far as possible, by the said fines.

King James the Sixth to the Earl of Mar.

1624, November 1. Royston.—James R.—Righte trustie and righte welbeloved cosen and counsellour, wee greete yow well. Whereas wee have presente occasion to sende into France some of those dogges which here they call terrieres and in Scotlande they calle earth dogges, wee have thoughte good by these presentes to require yow to employ your beste meanes both by causing Sir George Ereskin to sende into Argyle, and yee your selfe sending not onlie thether bot also to Glenurquhay and all your other frendes, whereby yee may gette for our use foure or five couple of these dogges and sende them to us with all expedition possible. And that yee have a speciall care that the oldest of them be not passing three yeares of age; and that yee sende them not all in one shippe, but some in one and other some in another, leaste one shippe shoulde miscarie. And thus requiring yow with all possible diligence to advertise us of the receipte of this our letter and how soone yee thinke to satisfie this our desire, wee bid yow farewell. Given at Royston the first day of November, 1624.

Addressed:—To our righte trustie and righte welbeloved cosen and counsellour the Earle of Mar, our Treasorer of our kingdome of Scotland.

1624, November 7. Newmarket.—Warrant from the King to the Treasurer and Deputy Treasurer, and remanent commissioners of his rents, to pass the gift of a pension which the King out of compassion has given to John McKenzie of £480 Scots yearly, and duly make payment thereof; but to cause him surrender a former pension of £300 which he formerly received.

1624, November 7. Newmarket.—Warrant from the King to the Treasurer, and Treasurer-depute. He has been petitioned by the widow of David Droumond, late servant of the King, that her husband, George Melvin, son of Sir Andrew Melvin, knight, also the King's late servant, may have the gift of tutory dative to her child, whose father has now been dead a year, and no tutor was provided by his testament. The King approves of the purpose "because by the course of nature the mother must in reason have the greatest care of her child," and therefore he requires that if they obtain from her said husband or any other friend she may name suitable security for faithful discharge of the office, they grant unto him a gift of tutory dative, so that "no orphane whom we should protect may by any deede done by us receave harme."

1624, November 9. Newmarket.—Warrant by the King to the Treasurer and Treasurer-depute to expede to James Fenton, keeper-depute of the Palace of Halyrudhouse, in respect of his continual attendance there, a gift of the said office, with all fees, privileges and immunities thereto belonging, together with the daily pay of 20s. Scots, and a chalder of bear annually from the lands of Balincreefe; and also to see him duly paid. He is to surrender a former gift containing a fee of 13s. 4d. daily and an annual chalder of bear.

1624, December 24. Whitehall—King James the Sixth to the Earl of Mar, Treasurer; Sir Archibald Naper, Treasurer-depute; and Sir William Oliphant, King's Advocate, requiring them to cause Sir James Campbell of Lawers produce the rights of his lands adjoining the forest of Glenalmond which the King wishes to acquire and add to the said forest, but with which Sir James is unwilling to part, that so after their report of the nature of his evidents the King may determine what further to do.

1624, December 24. Whitehall.—Warrant by the King to the Treasurer and Treasurer-depute to bestow the escheat of John Brown, skipper of Burntisland, who, and his son and servant, have been convicted and executed for manslaughter, upon his widow, so that she may have no more loss than that of her husband and child, and that her creditors may not be defrauded of what is due unto them. If his goods have been already disposed of, she is to receive an equivalent sum of money.

PRINCE CHARLES to the EARL OF MAR AND SIR ARCHIBALD NAPIER.

1625, January 2.—CHARLES P.—Right trustie and right welbeloved cousin and counsellour, and trustie and welbeloved counsellour, wee greete yow well. Though wee understand how

Johne Browne, skipper of Brunteyleand, his sonne and servand are convicted and executed for the slaughter committed by them, and that thereby their lands and goods are according to the lawe forefeited to our dearest lord and father, and knoweing that the said towne of Brunteyleand is within our lordshipe of Dunfermlein, and that thereby the goods of the said Johne Browne are due to us, yett wee being contented and satisfied with what the lawe hath determined on their lyves, doe hereby will and requyre yow that whatsomever lands or goods are fallen due unto us, which belonged unto the said Johne Browne, may be given unto his widowe or to any uther person haveing power from her to her use. And if the samyne goods be utherwayes disposed on by yow alreadie, in that case our pleasure is that ye caus repay the same backe agayne to the said widowe to the uttermost value. And in soe doeing this salbe your warrand. From the Court at Whithall, the second day of January, 1625.

Addressed:—To our right trustie and right welbeloved cousin and counsellour, Johne, Erle of Marr, Lord Highe Treasurer of Scotland, and to our trustie and welbeloved counsellour, Sir Archibalde Napper of Marchiston, knicht, Treasurer-depute of the said kingdome.

KING JAMES THE SIXTH to the MARQUIS OF HUNTLY.

1625, January 12. Theobalds.—Righte trustie, etc.: Wee were pleased to write to our Counsel and Session requiring them to deale with the Earle of Mar to give yow such discharge of all actions as he had alreadie given to the Marquis of Hamilton and Earle of Angus. Since that time wee have been advertised by the said Earle of Mar that he is willing to give yow the like discharges as he gave to the other two, or otherwise to submitte whatsoever may be questionable betwixte yow and him to the determination of indifferent frendes. And therefor wee have thoughte good by these presentes to advertise yow of the said Earle his offer and likewise to give yow our opinion, which is that if yee do not thinke the discharge offered to be a sufficient securitie to yow, that then yee submitte to indifferent frendes all maters which may falle in controversie betwixte yow, which being the moste calme cours may soonest ende all differences. Otherwise we cannot denie him the ordinarie cours of justice. And this recommending to your consideration, wee bid yow farewell. *Contemporary Copy.*

1625, January 31. Newmarket.—King James the Sixth to the Treasurer and deputy Treasurer. He had formerly instructed them to uplift the fines of those persons convicted of bearing unlawful weapons at the Justice Court of Dumfries, and apply them in the building of a tolbooth at Loughmaben. He now calls to mind that such fines were previously set apart for reparation of the Bridge of Perth, and therfore requires them so to employ the fines levied on all such persons throughout the country, excepting those of Nithsdale, Galloway and Annandale, which he will have employed in the erection of the

said tolbooth. "Considering the necessitie of such a hous it is good reason that it be builte at the costes of the neighboring offenders, rather than otherwyse." If there is any superplus it is to go to the said bridge. Hitherto the Warden and Steward Courts have been held in the church of Loughmaben, which is "verie unseemelie and unfitting." The Master of Works is therefore to go with all convenient expedition to Loughmaben and choose the fittest place for a tolbooth, and so build the same that the lower rooms may serve as prisons for malefactors, and the upper as court-rooms for administration of justice.

1625, January 31. Newmarket.—Warrant by the King to the Treasurer and Treasurer-depute to pay to William Midlemest, sometime keeper of the Castle of Dumbartane, such sums of money as they shall upon examination, find due to him in that service, and for which he has petitioned his Majesty.

King James the Sixth to the Earl of Mar.

1625, February 17. Newmarket.—Sir Patrick Murray and Sir David Murray have petitioned him that the gift granted unto Mr. Patrick Murray of the Abbacy of Inchaffrey might pass the seals. It is not his Majesty's custom to write twice on any matter, and he therefore desires to know why his former letter and recommendation have not been attended to, especially as in this matter he was so cautious (though he did not acquaint the Earl and other commissioners of his rents therewith) that he took a backbond from Mr. Patrick Murray that he would resign all his interest therein at the King's command whenever Sir Patrick, Sir David and the rest of their friends had been secured in their lands and teinds belonging to the said Abbacy.

Desire by Campbell of Glenorchy to the Earl of Mar.

1625, March.—The Laerd of Glenorquhy desyrs give his Majestie vill place mor fosters thain on in Glenamund, that he may be the man, and his reson is becauss he marchis on the holl north and vest syds of the forrest vith his land. Only a thrie mark land that Lauers hes quhilk he halds of him, and quhairfor he pays him yeirlie feudutie, and he thinks he is mor able to doo his Majestie good services in that place than the Laird of Lauers, and he houps his Majestie vill nott prefer any cadett of his houss to himself, bott give itt be his Majesteis pleasur to bistou the holl fosterie vpon his aun servantt, Sir Patrik Morray, he shalbe very glaed of it, and he shall have all the help of good nichtbourhed that lyis in his pouar.

King Charles the First to the Treasurer and Treasurer-depute of Scotland.

1625, June 24.—Charles R.—Whereas divers preceptes were directed to yow by our late deare father of famous and eternall memorie for payment of divers summes of monie to severall persons, whereof some are in parte payed and others not yet entered in anie parte of payment at all; we have thought good

by these presentes to require yow to go on in answering of the said preceptes as the performance of our more necessarie service wille permitte, according to our said deare father his meaning at the granting of the said preceptes; in which behalfe these presentes shalbe to yow a sufficient warrant.

1625, June 24.—Letter from the persons subscribing to the Earl of Mar, urging his carefull attention to their claims on being deprived of their rights of commonty and pasturage in the forest of Glenalmond, in consequence of the King's command for its strict preservation as a deer forest. His Majesty having promised them compensation for their losses, they estimate these will amount to the third part of their estates, the truth of which they desire may be remitted to the verdict of men of experience. *Signed by* P. Drummond of Carrivahter, S. William Morray of Achtirtyre, Antonie Murray off Raith, Antone Murray off Dowald, Patrik Grame off Inchebrek, Williame Maxtoune of Cultaquhey, Patrik Drumond of Galdwalmoir, J. Drumond, fear of Mylnab, Allexr. Donyng of Waster Creiff, Thomas Glass of Pittintiane, J. Mallock of Cairdneis.

Addressed:—To the Earl of Mar, Lord High Treasurer of Scotland, who notes that he received it at London, on 24th June, 1625.

1625, June 24. Whitehall.—Warrant by King Charles the First to John, Earl of Mar, principal Treasurer, and Sir Archibald Naper, Treasurer-depute of Scotland, to choose some "skilfull and well experimented gardener in England to go and reside at Stirline for reparation of "the orchard adjoining his Majestys Park of Stirline," which he is informed has "for lack of attendance become wilde and overgrowne with bushes and brambles;" and which state of matters "being an imputatioun to that wholle kingdome" he thinks should be remedied. They are to allow the said gardener £30 sterling yearly, and to take his advice concerning his Majesty's other gardens and orchards. The letter is superscribed CHARLES R., but is not dated. On the back the Earl of Mar has marked it as granted "att Quhytthall, the xxiiij June, 1625."

1625, July 19. Windsor.—Signature, superscribed by the King, and subscribed by the Chancellor; Mar, Treasurer; the Earls of Morton, Roxburgh, Melros and Lauderdale, and Archibald Naper, Treasurer-depute, for expeding a grant under the great seal to Mr. Patrick Murray, his Majesty's wellbeloved daily servitor, appointing him Commendator of the Abbacy or Monastery of Iuchaffray called Iusula Missarum, vacant by the death of James, last commendator.

KING CHARLES THE FIRST to the LORD HIGH CHANCELLOR OF SCOTLAND.

1625, October 22. Salisbury.—CHARLES R.—It is our speciall plesour that ye cause a commissioun (to be termed in all tyme cuming the Commissioun Judicatorie off the Excheckere or Tressorie) be drawine up in dew forme and expede under our greit seall

geiving, granting and committing full power and auctoritie to Sir George Haye, knichte, our Chancellare; Johne, Erll of Marr, our Tressorare; Johne, Archebischope off St. Androse; William, Erll off Mortoun; Johne, Erll off Montrose; Robert, Erll off Niddisdeall; George, Erll off Wintoun; Robert, Erll off Roxebruche; Johne, Erll off Annanedeall; Patrick, Bischope off Rose; Sir Archebald Naper, deputie Tressorare; Sir George Elphinstoun, Justice Clerk; and Sir Alexander Strachane of Thornetoun, knichte, or any nyne of thame, our Chancellare, Tressorare or deputie Tressorare being alwayes present, to transact and compone in all materis belonging to our Excheckare or Tressorie; nather sall it be lauchfull at ony tyme heireftir for our said Tressorare or deputie Tressorare without the speciall consent and presence of our said Chancellare with sex more off the foirsaid commissionaris to deall in ony mater concerning our Excheckare or Tressorie to pas ony gifte or compone ony signatour whatsumevir, utherwayes the whole compositionis giftis or signatouris to be woyde and of none effect. And iff it sall happin our Chancellare at ony tyme to be absent then sall the archebischope of St. Androse or the eldest councellour who all happin to be present for the tyme supplie his place as Chancellare for the Excheckare. Bot iff it sall happin our Tressorare or Tressorare-deputie to be at ony tyme absent, then our Chancellare or he who suppliethe his place and the rest sall procede in all thingis belonging to our said Tressorie as iff our said Tressorare wer thair present, leist our subjectis micht ressawe wrong bye delaye: Ordaining ane publict place to be appointtit whiche shalbe namit the Excheckare house or Tressorie house, where everie thing belonging to the Excheckare salbe publictlie done heireftir, the whole parteis interressed being dewlie admonished for that effect; ordaining also that no takis of our customes or casualiteis salbe sett heireftir till first publict notice be given in those places where the benefeit is raised that suche leassis ar to be lett; at the letting whereoff sex of the abowenamit commissionaris shalbe allwayes present and consentaris bye thair subscriptioun thairunto, besides our Chancellare, Tressorare and deputie Tressorare as is abowesaid; withe full power to the saidis commissionaris to informe thame selffis and tak particulare notice off the estate of our patrimonie and casualiteis and to raise and augment the rent thairoff, so far as maye be with guid conscience without clamour or grit harme of our subjectis; and lykwayes to tak ordour that all superfluous and unnecessarie charges now lying upone our rentis may be retrenchit and taking awaye; and that the said commissioun be extendit in the moste ampill and best forme with all claussis nedefull, in whiche behalff these presentis salbe your sufficient warrante. *Contemporary Copy.*

1625, October 25th. Salisbury.—J. Douglas, to John, Lord Erskine, that he had given his letter addressed to his Majesty to Mr. Pitcairn, who delivered it. Yesternight he personally saw the King, who desired him to tell his Lordship that he was not being removed from his extraordinary place in the Session

on account of any mistake, but from a firm resolution taken by his Majesty not to have any noblemen among the Lords of Session. If his Lordship would accept of a place in Council, more befitting his degree, he should willingly be admitted. The writer adds: "Indeede I see he is fullie bent that no nobleman shall hereafter be upon the Session; and when he hath ones resolved to follow anie cours there is no meanes to draw him frome it, or alter the least jotte of his resolution."

The Earl of Mar to King Charles the First.

1625, November 18. Holyroodhouse.—Most sacred Sovareign, Being yisterday at Counsall, and thaer having hard your Majestis direction by your letter to draw up a commission concerning the office of Tresurarie, I have in all humilitie presumed to putt your Majestie in remembranss of thes speecheis I had vith your Majestie upon that subjectt quhen I had the happiness to see you last. Att that tym I sheu your Majestie that I understoud that sum of my onfreinds had intension onder culler to mak your Majesties commoditie to putt upon me a mark of your distrust, quhilk by this commission vill appaer manifestlie to all the varld, and yitt never putt a pennie in your purss. Sir, I confess as I am bound vill I ever serve you as ye pleis to directt me, bott I doo nott doutt bot your Majestie vill considder the treu hartt of aine honest auld servantt. Give any man vill accuss me that I have nott doun the deutie of a treu servantt unto your Majestie or to your vorthie father of good memorie, I am reddie to abyd my tryall be the most strictt form that lau vill allou. I humblie crave your Majestis pardon for my bauldness, bott give in thatt poyntt I have committed any errour itt is only the tenderness of my reputasion that the varld should nott think me so onhappie as nocht to be trusted by your Majestie alls far as all others in my place hes bein trusted by your Majesties vorthie progenitors. Thus houping that your Majestie in that course quhilk shall seime best in your awn eis vill have sum respectt to your auld servantts reputasion, efter the kissing of your Majesteis hands, I rest, your Majesties most humble subjectt and servitor, J. Mar.

1626, January 7.—A short Note of what passed between his Majesty and some members of the Privy Council of Scotland at Whitehall on the seventh of January, 1625-6.

First. His Majestie begoud with giving us hartie thanks in the behalf of all his subjects of Scotland for our franc and frielie giving of the taxasion, without any stop or question, bott (2) he did wonder that theis things quhilk he did propond of himself only for the veill and securitie of that kingdom var in effect all refeused, and that, as he had hard, by the splein that sum men caried att theis quha var cariers of his direction, as Nidsdeill and Annandeill, and that sum mens

opinions var so avers to his demands, as itt vas refused that itt should be putt to a committie, quha micht have found perhaps sum mor esie way than could be expected be the generall number. In this itt is nott to be forgott that he thocht that micht have bein putt to a committie alls veill as that of my Lord Arskeins, quhairin his Majestie spak very modestlie. To this poyntt itt vas ansuered be my Lord Cancelar (bott in too gritt coller) that for the first poyntt concerning the tuo thousand men, efter a large discours, quhat had past amongst sum of his Majesteis Counsall in his challmer upon that poyntt, and efter the giving order to sum sey captens and to sum masters of ships to cast up alls neir as could be the charges itt vald amount unto, that than it vas proponed to the Estetts, quha did altogither refeus itt as a thing onpossibill; so as to putt a thing to a committie that vas altogither refeused, thay vald never agrie unto itt. His Majestie sayd, Vas the tuo thousand men refeused befor the committie vas proponed. Yis, sayd my Lord Cancelar. Then ansuered the Bishop of Sanct Andross (evin in sum lytill passion) that my Lord Cancelar vas mistakin, for, sayd he, the committie vas refused befor the Estetts had refused the furnising of the tuo thousand men, quharto the Cancelar replyed that he vald ingadge his heid upon that poyntt. Itt is to be remembred that his Majestie quhen he sayd that aine com outt of Scotland and shou him that all vas refused in effectt, that com doun by my Lord of Nidsdeill, and only in regards that he and Annandell war the cariers of the message, than the Cancelar brak outt in sum coller and sayd I shall give my lyf, Sir, give any Scotts man have sayd theis vords except he have bein a followar ether of my Lord of Nidsdell or my Lord Ochiltrie, and that he com up befor the Counsalls pakket that vas directed for lyf.

3. His Majestie spak anentt the commission of the Counsall, and anentt thaer imunitie for thaer persons and housis. He thocht itt strange that ve send bak the commission unto him, bott that ve should have reseued itt, and give ve had bein desyrous of any alterasion ve micht have advertised him, bott to send itt bak itt vas a kynd of dispysing of itt. To this Mar ansuered, that thair being contened in itt a thing directlie against aine Actt of Parliamentt quhat should his Counsall doo, being sworne to give his Majestie upricht counsall? His Majestie ansuered: Is thair a law against protections? Yis, ansuered my Lord of Mellross, a directt Actt of Parliamentt. Then, sayd Nidsdeill, bott the Counsall have given protections. Then, itt vas ansuered, never sens the Actt of Parliamentt except be consentt of the creditors. Then his Majestie did fall upon the other partt of the commission of the Counsall concerning the precedentts place in the Counsall. In that he vas a lytill sharp with my Lord of Morton, aledging that my Lord of Morton should have sayd that itt vas doun to mak a vott mor in Parliamentt for the King. All this tym Nidsdeill satt on his knie, and as itt seimed vald latt itt appeir that he vas the Kings informer in this poyntt. My Lord of Morton ansuered, he could nott deny bott that he sayd itt

vaid mak a vott mor in Parliamentt, bott sayd nothing of the King. His Majestie sayd also that the disposing of placeis of honor or presedence vas altogither in his hands, and gave instance of my Lord Cancelar and my Lord Tresurar of Scotland being both presentt. Itt vas ansuered be Mar, that itt is treu the Tresurar had his place of his father, bott the Cancelar had itt sens ever thair vas a Cancelar in Scotland. My Lord of Mellros sayd the reson he vas tender in that poyntt vas becauss he thocht itt micht bring a distest to sum of the nobilitie, bott could forther nothing to his Majesteis service, becauss he micht doo all things apertining to that place alls veill sitting in his aun place as give he satt in a heihar place. Veill, sayd his Majestie, give he vill nott [doe] it maybe aine other vill.

4. His Majestie did fall vpon the revocasion vondering quhou that should be so muche talked of seing he did nothing bott that quhilk his father and grandmother and sindrie others of his progenitors had doune, saving only he sayd thair vas on thing in itt that vas nott in any of thaem, This he seimed nott to remember on, bott I think his meining vas the erections. To this thaer vas a long discours maed be my Lord Cancelar as a thing most pertinentt for him to ansuer, being a mater committed to his trust, quhaerin he maed a treu discourss of that passed in that mater, quhairin also thair vas sum contestasion betuixtt him and Nidsdeill, bott nott very materiall as I can remember. Than Mar sayd unto his Majestie, that itt vas hard to any man to say unto him in particular any thing concerning that revocasion, becauss for himself he had never sein itt bott only ons had hard itt red in the Counsall, and he confessed he could nott remember of everie particular contened in itt, bott that in generall, itt had putt all his Majesteis subjects in grett feir, for quhen that thay thocht itt vas intended that all thaer rychts given be any of his Majesteis predicessors should be called in question; as also that itt vas nott possibill that his Majestie himself could mak any richt unto thaem bott quhat micht be called in question efter his disses, thay thocht thay var in a vars caess than any subjectts in the varld; Bott, ansuered his Majestie, have I doun any thing bott that quhilk my father and grandmother hes doun before me? To that Mar ansuered give itt vill pleis your Majestie to command my Lord Cancelar that ve ma see itt than ve can say unto your Majestie quhat ve think of itt. Bott, sayd Mar, give your Majestie vill give me leive to say on thing unto your Majestie only outt of comun sens for I confess I am no lauer, your lau allous nott only to prince bott evin to the meinest subjectt that thay may revok any deid doun be thaem to thair prejudice befor thay be xxj yeirs of aige, and the lau allous thaem also four yeirs mor till thay be xxv yeirs of age to revok any act or deid doun by thaem befoir xxj; bott so itt is that your Majestie vas neir twentie four yeirs of age befor ye vas King, so that as King ye did never a deid befoir ye vas xxj, and consequentlie can nott be the law revok any deid doun be yow as King, bott as Prince ye may revok and hes revoked.

For your father and grandmother var both kings befor thay var xxj, and so micht revok be the laus of the kingdom. To this thair vas no ansuer maed att that tym. Quhatt vilbe ansuered I knaw nott.

Efter all this, his Majestie being veried, he sayd he vald say no mor att that tym, bott he vas to speik with us agaen concerning the ordering of the Counsall and Session, and he aross. Efter his Majestie aross ve all did kneill as our duetie vas befor him, and did heumblie intrett his Majestie that he vald trust no senistruss informasions of us, his Majesteis trustie servanttis and auld servantts to his vorthie father, till first ve should be hard. He most graciouss ansuered, Be God that vas the only reson I did send for you. For the quhilk ve gave his Majestie most heumill thanks.

Itt is to be remembred that he spak to my Lord of Mellross att his last being heir and did att this tym remember itt in all our heirings anentt his commandments to be sentt to Scotland, quhilk var of tuo kynds, on quhen he asked our advyss, and ane other quhair he directlie commanditt quhairin he thinks he should be obeyed. This to my remembranss is all that passt att our heiring vpon the sevintt of Januar, 1625-6.

1626, January 13.—Our second conferens befor his Majestie att Quhytthall, upon the xxiii Januar, 1625-6.

First, his Majestie begouth vith the protections and the lafulness thaerof, quhair the Lord Ochiltrie vas brocht in and aledged that the Session had givin protecsions sens the Actt of Parliamentt, and gave that givin to Josias Steuartt withoutt consentt of his creditors as aine instanss, and so meikill maer micht his Majestie give protection to his Counsall or quhan he plesed. The ansuer of this I remitt to that quhilk shalbe givin unto his Majestie att our nixtt heiring, bott as I think the Session having warned all his creditors and no man compiring to oppon to it, that vas a tacitt consentt of his creditors; bott off this the Session quhom itt concerns man ansuer for thaem selfs. Efter this his Majestie vas a lytill bitter vith my Lord of Melross and sayd that he thocht he micht give his Counsall protection alls veil as he gave a protection to my Lord Ogilbe, by defending him by his pouar in opression of his father's auld servantt, Sanders Akmoutie, quharto my Lord of Mellross ansuered that he never gave protection to any man nor had pouar to doe itt; bott this in effectt vas remitted to the particular petision givin in by Sanders Akmoutie against my Lord of Mellross, quha I houp shall ansuer for himself.

Itt is to be remembered that the Bishop of Ross maed a long and fecless speche evin in the beginning quhilk is nott vorth the repeting. It appered that he vald have maed a suspension and a supercedere in effectt on thing. Itt vas ansuered by my Lord of Mellross that give my Lord of Ross had onderstood the lauss als veill as he did his aun calling he vald nott have sayd so. Than as I remember his Majestie spak to my Lord of Mellross that quhilk is befor writtin concerning my Lord Ogilby.

Efter this as I remember, his Majestie spak sumquhat aledgeine that all the places in [S]ession var voyd by the dissess of his father, and so now att his disposition; quhaerin itt did appeir by his Majesteis speche that his end vas that being resolved thaer should be no nobill man on the Session, and as appeired pointed att Latherdeill and Carnegie, bott to my rememberanss did nott naem thaem by thaer naems. And than his Majestie did shou that he had commanditt Sir Jhonne Scott, quha vas a Sessioner (itt is to be remembered that Mar sayd he vas bott a clerk), to gather outt of the Session books quhat had bein the courss of preceiding ageis and tym past.

To this thaer vas no ansuer maed, bott by his Majesteis commandmentt thay var delyvered to my Lord of Mellross to considder of, quhilk I remitt to his ansuers quhen thay shalbe givin unto his Majestie.

Efter this his Majestie spak anentt that partt of our letter concerning the Laerd of Thorntoun, in quhilk subject my Lord Cancelar maed a long and trew discourss; his gretest defens vas that ve quha var thaer being his parteis could nott be vitnessis agaenst him. Bott his Majestie sayd itt vas a hard mater quhen a holl body of a Counsall had vrittin so of him. And thaer ve all protested ve had nott particular to his person, bott only to his Majesteis honor that sic aine infamuss man should nott cum in amongst us. Than Thorntoun fell outt in accusing my Lord Cancelar of brybrie in taking a thousand marks Scotts from Glenbervie for gettin past to him aine infeftmentt vith altera[tion] of the tenor of his haulding of vard ather in blench or taktt vard. This vas instantly provine to be a lie befor his Majestie by calling in Jaems Douglas, quha thaer opinly declared that he gatt that munie (quhilk vas fiftie pounds sterling) delyvered in Edinbruch to his behoue. No mor of this, bott I leive to the sequell that shall follow upon itt.

Than Thorntoun sayd that he vas forced to tak the courss vith my Lord Marshell be reson I had givin his eschett to my Lord Marshall, quha vas att that tym his mortall enemie, and he thocht that his Majestie did nott give me the staff to oppress his subjectts. To this I ansuered that itt vas trew I had givin his eschett to a servand of my Lord Marshells called Mr. Jaems Vood, and the reson vas I did receve a pitifull letter from my Lord Marschall, quha now rests vith God, shawing quhou he vas dishonored in the hiest degrie, his bed defyled, his houssis robed, his hoill moubles, pleitt and joualls stollin from him, so as quhen he com to Dunnotter he had not an bed to ly upon bott aine auld clouted bed be chanss he borrowed; and all this vith his vyf resett in the Laerd of Thorntouns houss, and in effectt he deid. I thocht I vas bound in conciens to doo any thing that laufullie micht be doun to mak Thorntoun and his vyf to eitt thaer meitt in order, and the rather my Lord Marshall bein aine honorable aged man, and quha had bein imployed by his leitt Majestie in so many honorable serviceis; and yitt quhen all this vas doune, I did it nott so bott that the

pouar vas ever in his Majesteis hand, for I touk a band of Mr. Jaems Vood, all writtin with his aun hand, that he should be reuled and commanded in that mater by his Majestie, nottvithstanding of his giftt.

Then did my Lord of Nidsdeill sitt doun upon his knie, and sayd: I vilbe able to qualiefie that theis bands he taks ar the most prejudiciall things to your Majestie commoditie that ever vas doun. Quhaervpon I satt doun upon my knie and sayd, Your Majestie siess quhou I am accused in nocht douing my deutie in my office. Sir, itt is treu I have ain of the most eminentt offices in that kingdom, and nixt to my Lord Cancelars office, the office of grettest trust. My Lord of Nidsdeill hes a office, only a commissionar vpon the Borders, I am contentt to enter upon the penall vith him, latt him accuss me, and latt me accuss him, for I houp to qualifie that in his office he or his deputts for quhom he must answer hes oppressed your subjectts onder pretens of justice, and only for pryvett revenge of thaer particular quarrells. Than my Lord of Nidsdell fell outt in grett coller and sayd, Be God I vill doo it and subscryve itt vith my bloud, and I shall mak him suett for itt. To the quhilk I ansuered, I houp itt shall not be sic a sueitt as ye have suatt. Then he sayd: Ye accuss me and my deputts, be God I vill accuss you and your deputts. I ansuered that albeid quhen the office of Tresuarrie vas in integretie all deputies and officers var choising be the Tresaurar, yitt now I had no deputt, bott the Kings deputt, and yit I vald ansuer for the Kings deputt becauss I knew him to be aine honest man.

Then I kneiled to his Majestie, and efter he had commanded me to ryss I shew his Majestie that I had the honor to be a suorn Counsallord to his vorthie father thir seivin and fourtie yeirs past; I had bein his fathers Tresurar and his awin thir ten yeirs past, and give my lyf war devyded in tuentie parts thaer is nyntein and a half of thaem past, and now to be acoused in the few days I have to leive as aine that shall suett for my actions, quhat can I say, Sir? Bott I have thrie comfortts, aine the testemonie of aine honest conciens befor my God; the nixtt is quhen I leuk upon you my just King quha vill see me treulie tryed, for I shall never begg mercie give I have doun any deid may mak me sueitt; and my last comfortt is quhen I leuk upon him quha is my accusar.

Last of all, my Lord of Bukkingham, he spak shauing quhou grived he vas to see theis contensions cum to so hie a degrie, being betuixtt thos to quhom he vas bound be law as villing and desyruss to doo thaem all honor and service, and on the other partt to sum others he vas allso bound in a band in sum other kynd, and this vas nott the vay for his Majesteis service. This seimed to tend to aine agrimentt. I ansuered, My Lord, nothing shall drau me bak from his Majestie service, bot I houp his Majestie vill try quhither or nott I have done anything may mak me sueitt.

1626, January 17 and 19.—"Our conference (his Majestie nocht being presentt) amongst our selfs, my Lords of Bukkingham and Carlill being vith us in the Counsall Challmer upon the [17] day of Januar, 1625-6, and in the vithdrawing challmer upon the xix day Januar, 1625-6, befor his Majestie.

Quhen ve did meitt in the Counsall Challmer the Kings Majesteis revocasion, I mein the revocasion maed by King James, vas red and conferred vith this new intended revocasion by King Charlls, perticulerlie article vith articill, quhaerin ve, the Lords his Majestie did send for, thocht thaer vas so grett differens as no subjectt could be seur of any inheritans vithin the kingdom of Scottland doun be any of his Majesteis predisessor sen King Farguss the First, albeitt doun in ther perfytt age, nether (give itt should ons be maed aine Act of Parliament) could his Majestie or any of his sucsessor kings mak thaem any securitie in tym cuming. Itt var longsum to vrytt all the resons, bott I vill remitt thaem quhill sic tym as the intented revocasion be seine be thos of gretar judgementt in the lauss and securitis of the legeis than myself. Itt is to be remembered that his Majestie hes givin command to my Lord Cancelar to refeuss no man a coppie of this new intended revocasion. Only the man quha teuk allmost the only speche in defending of itt vas that vorthie judiciouss lauer, the Bishopp of Ross, quha babled all the tym so far vithoutt sens or reson, as everie indifferentt man quho hard him micht esalie perseive that his judgementt vas far shortt of that quhilk the gravitie of his beird did promiss.

Att this meiting thaer vas also givin in sic ansuers to Sir Jhoone Scotts argumentts (quhaerby he intended to prove that all the Lords places in Session var voyd and in his Majesteis hand to disposs of) as var longsum to vrytt. Bott I remitt this poyntt to the ansuers thaem selfs givin by my Lord of Mellross (as I tak itt) be his Majesteis direction, and sic lyk the articills in vrytt givin be my Lord Cancelar to his Majestie concerning the Commission for the Grivansis, as also theis ansuers givin by my self anentt this new intended Commission of Exchakker or Tresurie, I remitt theis particulars to the resons sett doun in the ansuers givin in vrytt to his Majestie the on by my Lord Cancelar and the other be my Lord Tresurar.

Upon the xix day of Januar, 1625-6, in the fornoun, ve mett vith his Majestie in his vithdrawing challmer, quhaer the Deuk of Buckingham and my Lord of Carlill var also presentt, and thaer the tuo fornemed revocasions var red and conferred togither. Befor thay var red my Lord of Nidsdeill sayd to his Majestie, Shall I call in yon tuay men? Yis, sayd his Majestie, call thaem in. Than com in my Lord Ochilltrie and Mr. Robertt Jonstoun. As for Mr. Robertt Jonstoun he never spak on vord all the tym. Indeid my Lord Ochiltrie begouth in his bould fassion to rin throuh all the sevin siansis, bott he insisted most in grammer upon the copulative vord and, and the disjunctive vord or, and sayd his Majestie intended nothing bott

only to have his propertie desingned and maed knawn unto him; for, as he aledged, the Kings propertie vas nott knawn in Scotland. Melross ansuered and sayd his Lordship vas mistakin, for the Kings propertie vas very veill knawn; for he had propertie of tuo kynds, on anixtt quhilk could nott be disponed exceptt be lawfull desolousion in Parliamentt and vithoutt deminission, and he had also sum propertie that vas never anextt and that his Majestie micht lafullie dispon (as ony subjectt micht doo) ondir his grett seill.

My Lord Cancelar sayd, Sir, quhen ever this revocasion shalbe sein by vyss men and grett lauers in your kingdom, itt vilbe found that itt being ains maed aine Actt of Parliamentt, thaer shall no subjectt in Scotland in effectt have any seurtie of his land. My Lord of Ochilltrie sayd that his Majestie had no sic intension, and his Majestie sayd he vald crave nor doo nothing agaens law, quhaerof ve all thanked God. Bott, says his Majestie, I think I have laus and Acts of Parliamentt aneu for me all-reddie, and that thaer is Acts of Parliamentt in his Majesteis favors that orders give any Actt of Parliamentt shalbe maed heireftir in the contrar ordens thaem to be null. Bot, sayd Mar, Sir, give thaer be anie Act of Parliamentt maed thaerefter thatt distroys that Actt itt hes no longar forse in that poyntt ve contraverted.

Ochilltrie insisted still vith his accustumed bauldness. His argumentts var far mor vittie nor having any ground of treu visdom or judgementt founded upon reson.

Then Mar kneiled, and efter his Majestie had commanded him to ryss he said: Sir, the kingdom of Scotland is ain ancientt kingdom, and hes brocht furth a hundrith and seivin kings besyd your Majesteis self, quhom I prey God to continu and bliss long amongst us. I beseik your Majestie to considder (give this intended revocasion shall go so throuh as itt shallbe a lau) in quhat caes shall all your subjectts in Scotland be, give nether any thing doun by thos hundrith and seivin kings befor you in tyms past can mak us seur, nor quhat your Majestie shall doo in this presentt age, for our seurtie can secur us nor in tym cuming (give the varld shall lest so long as Scotland may or shall bring fourth aine other hundrith and aucht kings), yitt thay can nott all in any tym heirefter mak thaer subjectts seur of thaer lands and inheritans. Than, Sir, considder, I humblie beseik your Majestie, in quhat caes ar ve all, quhen no subjectts onder the hevine that lives onder a monarch professing Cryst is in that evill cass as ve shalbe.

His Majestie ansuered: I vill ansuer for my self, bott I can nott ansuer for my sucsessors.

Than my Lord Cancelar sayd: Sir, itt is a hard mater quhen a number of your subjectts shalbe hard to inform you, quha hes maed shipwrak of thaer aun esteitts, and vald now fish in drumlie vatters by shakkin all things louss that thay may gett sum partt to thaem selfs; sum of thaem having no vitt att all, sum of thaem bott half vitted, and nether of thaem grett honestie.

Oure meiting upon the efternoune the xix Januar, 1625-6.

His Majestie did begin vith the Session and his powar of placing of aine neu Session, thaer placeis being voyd. Itt is to be remembered that his Majestie (quhen ve vas in discours anentt the revocasion and hard my Lord Cancelar say that itt greived him to heir a peice of sic importansie resollved on by his Majestie vithoutt the advyss or knauledge of his principall officers or his Cancelar, Tresurar, Secretarrie, or Advocatt, as thay had nott bein fathfull servants, bott so undeutifull as thay vald nott have advysed his Majestie to any thing that could be justly or lafullie doun), his Majestie sayd the shortt tym vas the causs of it. I vill nott say, sayd his Majestie, bott give I should have had tym I vald have putt itt in aine other form. Than the Cancelar sayd, In this mater of the Session, your Majestie hes tym aneuh. And so Mar sayd, Seing your Majestie hes tym, for God sak latt nott your legeis vantt justice, for your Majestie can nott imagin quhat greif itt is to all your subjectts; and seing no tym can stay you to doo quhat lafullie ye may, for Gods causs, latt thaem be douing in the mein tym that the subjectts be nott defraudit of justice, till ye try quhat ye may doo lafullie. The King ansuered, My Lord, itt is better the subjectt suffer a lytill than all ly outt of ordor. Sir, sayd Mar, ye can nott condem thaem nor displess thaem till thay be hard. Then sayd Sir Jhoone Scott, I vill mak good all I have sayd. Than sayd Mar, Sir Jhoone, think ye your assersion good aneuh to allter the gretest judicarrie in the kingdom onder the Parliamentt; and I doo think a better mans opinion nor yours vald nott be sufficient to mak so grett a cheinge. My Lord Cancelar sayd, Sir, give ever itt shalbe qualified that thir fourscor and ten yeirs past, att quhilk tym the Session vas institutt, thaer vas any Lord of Session cheinged or depryved bott upon ether deth, demission or commission of a fault, than I shall quytt my judgementt. To this Sir Jhoone maed bott lytill ansuer, yitt still insisted in his foulish and presumtious fassion.

Then concerning the Commission for the Grivencis, my Lord Cancelar sayd to his Majestie thaer vas sindrie things in itt that vas novasions and as he thocht agaenst lau, as on concerning the takine up dittay in everie shyr, and the informar nott to be knaun. Than sayd he, the informar onknaun may be a vitnes upon ain honest mans fame. Bott for all theis things I remitt thaem to the informasion givin by my Lord Cancelar in vrytt to his Majestie. So the Cancelar sayd, I can say no farther bott quhat I did give your Majestie in vrytt upon that poyntt.

Than his Majestie said: Nou, concerning the Commission of Tresurarie, quhat say ye? Than ansuered Mar, Sir, I can say no mor bott quhat I gave you yisterday in vrytt, bott thaer vas on thing (as than I did say unto your Majestie) that I had to say unto you quhilk I had nott putt in vrytt, and give your Majestie vill command me I shall say it heir in publik, eivin heir

in publik. My Lord, give ye pleis, sayd his Majestie. Then I sayd unto his Majestie, I have beine aine auld servantt to your Majestis father of vorthie memorie. I have all my lyftym bein thocht in the cuntrie quhaer I duell both aine man of honor and honestie, and now I can nott bott sorrow that in my auld age that mark of distrust should be putt upon me that never vas putt upon any man that ever hes bein in my place befor me. Then sayd his Majestie, My Lord, my father did putt commissionars in his tym, and this also is only to overleuk your actions. Then sayd I, Sir, I caer nott quha overleuk my actions, bott, Sir, your fathers commission vas no disgrace to me, becaus I found itt so befor I com in the office. Bott this is of aine other kynd, for I can doo no thing withoutt thaem, and thay may doo all things vithoutt me, quhilk can nott stand be law be reson of many Acts of Parliamentt quhilk maks many grants null vithoutt the Tresurars subscripsion. Then sayd his Majestie, thaer is no reson that give ye be away the legeis shalbe delayed. Than sayd I, Sir, I am nott oftin absentt, bott Sir, sayd I, I can nott conceil from your Majestie the greif of aine honest auld servantt, bott I vill serve your Majestie in quhat fassion ye pleiss, for quhat ye doo is no disgrace to me, albeitt I can nott bott confess and lay open my greif befor you. So thaer vas no mor of this subjectt att that tym.

Then my Lord Cancelar kneiled and spak agaenst the Laerd of Thorntoun and shew his Majestie thatt by and attour all vas sayd the last day he had sum farther to say, for he had contracted his sister upon a man quhas vyf vas on lyf, and sic a contractt the lyk quhaerof vas never sein. Thorntoun being takin on the suddan att the first vas a lytill perplexed, and vald have maed a good face upon itt be nott granting, yitt nott absolutely denying. Than my Lord Cancelar teuk outt of his pouche the extractt of the contractt from the regester, quhilk I remitt to the contractt; bott itt vas a strange on, and yitt I think itt shall nott bytt. Efter all this ve all renewed our seutt unto his Majestie for the Session. Quhat vilbe the end of itt God knaus.

Than Mortoun kneiled and said: Sir, itt is strange quhou the Laerd of Thorntoun can deny quhat so many honest men hes verified, and vill verifie upon oth agaenst him. Yitt, Sir, ve shall preive be tuo honorable noblemen the most partt of all ve have sayd, to vitt my Lord of Morray and my Lord of Bukcleuh; and give your Majestie shall nott think that sufficientt, I vill preive itt agaenst him quhat other way your Majestie shall think good. This or to this sens, as I remember, var my Lord of Mortouns vords.

1626, January 18.—Sir Robertt Dayells vords, so far as I can remember, spokin to my Lord of Mortoun, my Lords of Roxbruh and Mar being present, vpon the xviii Januar, 1625-6, in the Kings previe challmer att Quhytthall.

That within thir thrie or four days he hard my Lord Ochiltrie, being in discours with my Lord of Fenton, say that he wondered of my Lord Cancelars sharp accusation of Thorntoun for being a

Papist, seing he had hard my Lord of Nidsdeill say that quhen he helped him to be maed Cancelar he gave him his hand to be a freind to all Papists, and then Sir Robertt sayd he knew itt to be my Lord of Nidsdells vords, for him self had hard my Lord of Nidsdell say theis verie vords in his aun challmer, and nocht privattlie bot publiklie.

1626, January 22.—A Note of the meeting of some members of the Privy Council with the King in the withdrawing-chamber at Whitehall, on 22nd January, 1625-6, in the afternoon; my Lord of Bukkingham nott being presentt, and my Lord of Carlill being thair.

His Majestie begouth to declair his intension and ernist desyr that all the Lords of Sessions placeis var voyd and in his pouar to disposs upon nou by the disseis of his father, King James of vorthie memorie. To this my Lord Cancelar sayd that all that ve could say in that mater ve had given itt in vrytt and vas contened in theis ansuers quhilk my Lord of Mellross had sett doun be his Majesteis commandmentt to the resons quhilk var given to his Majestie be Sir Jhoone Scott. Then Sir Jhoone Scott took outt theis ansuers, and red sum of his replys, quhilk I remitt to the things thaem selfs, bott var fecless and to no porposs. Than Mar sayd, I humblie beseik your Majestie to considder veill of this mater, for ve can say no mor than is allredie sayd, for I my self I am no lauer, bott only this far outt of comun sens and reson, itt is hard to condem any man onhard, and far mor hard to mak so grett ain alterasion in that grett courtt (being institud by your grett grandfather, King James the Fyftt, with adwyss of his Estetts in Parliamentt), and they never hard and having nothing for itt bott only the assersion of Sir Jhoone Scott. Then Sir Jhoone Scott sayd he vald prove all he had sayd; and thaer bragged very meikill of his ancestors quha had bein Directors of the Cancelrie this long tym, and had thair beginning in King James the Thrids tym, and that his grandfather, Robertt Scott, quhom my Lord of Mar knew veill to be aine honest man. To quhom Mar ansuered, Indeid I knew him veill and he vas aine very honest man, and give itt var nott as thay say that auld deid folks vill fley baerns I viss att God he var standing eivin now besyd yow to heir yow speik. At this his Majestie leuh a long tym. Than Sir Jhonne begouth to speik sumquhat that did tuich my Lord of Menmors parciallitie in being the first man himself that did vott against aine Actt in Cession quhilk vas maed, and he had consented to anentt the tryall of the Lords of Cessions sufficiensie, and becauss he micht have his brother the Laird of Edgyell aine sessionar quhom Sir Jhoone aledged nocht to be capable of that place. To this Mar sayd, Sir Jhoone, speik good and reverently of the deid.

Then Thortoun, (quhen his Majestie had sayd quha shalbe jugeis in this mater give thay shalbe hard, for the Session ar parteis) he sayd, Quha bott the King? and he vald qualifie itt be aine prentitt Actt of Parliamentt. And thair he red the Actt of Parliamentt maed in the last Kings tym against all thos that

should declyn the Kings and his Counsalls judgementt. This Actt vas maed agaenst the ministers quha declyned the Counsalls judgementt. Then Mar sayd, Think ye that be this Actt the Kings Counsall may judge quhat is your heritage or quhat is myn. Itt is treu all judgeis have thair powar from the King and his Estaitts, bott thay ar distinguised and so man nott be confounded. He than aleged ain other Act of Parliamentt that the King vas judge in all causes, bott ve saw nott that Actt, bott as I think itt vas the Act of Supremassie. The Bishop of Ross then opened his mouth and sayd he vondered that any subjectt sould deny the Kings prerogative, for quha doth so, he vas no loyall subjectt. Then Mar kneiled and sayd, My Lord, I am sorie to heir a man of your apparentt gravitie say so. Ve are heir some number of his Majesteis Counsall cummed be his commandmentt; he asks our opinion; ve ar suorn to give him treu counsall according to our knauledge; quhat ever ye think I houp his Majestie vill think vs his loyall subjects. Then my Lord Cancelar sayd, My Lord, quhatever counsalor he be that gives his Majestie nocht treu counsall both against his knauledge and lau, that is nott aine loyall subjectt. Than my Lord of Ross vald faen have interprett his vords to aine vther sens, bott all vas thair sau his meining. Itt is to be remembered that quhen his Majestie asked quha should be judges in the mater of the Session, seing thaemselfs var parteis, my Lord Cancelar sayd he could nott tell, exeptt itt var the Parliamentt. Att that, Nidsdeill gave a startt. Then, Mar sayd, itt man ather be the Parliamentt, or give your Majestie strek nott att the routt (as appeiris by Sir Jhone Scotts discourss), bott give thaer shalbe nyn leftt vith my Lord Canceler ontuiched in the Session, I think the Session vilbe the most proper judge. To this itt seimed his Majestie did applaud. Than my Lord of Sanct Andross sayd unto his Majestie: Itt var good, sir, that this mater should be att aine end, for your service vilbe the vors that all your Counsall in effectt should be furth of the countrie. Then sayd he, Sir, I think the gretest poyntt I think your Majestie stiks vpon is that no nobillman should be aine ordinar Lord of Session. Give your Majestie vald be contented to mak those tuo nobill men (quha ar nou ordinars) extraordinars of your Counsall, I think thay vill nott refuss to lay thair office att your feitt. To this his Majestie appeired nochtt to be onvilling. Mar also shew him that the Advocatt, Justice Clerk, and Clark of the Regestar var ever sessionars bott nott ever privie counsalors, as he conceved. Than sayd the King, Vas the Advocatt ever a sessionar? Yis, said my Lord Cancelar.

1626, February 9-12.—My good nicht from his Majestie takin att Quhytthall vpon the 9, 10, 11 and 12 Februarie, 1625-6.

First efter I had desyred to know his commandments to Scottland he did begin a lytill to expostulatt vith me, that (as he termed itt) to be frie vith me, he thocht that both myself and my Lord Cancelar, and mor of us, his counsallours in Scotland,

had nott bein so forduartt in his effaers att this last convension as ve should have bein, and as he vas informed only for splein agaenst Nidsdeill and Annandell, quha var messengers in the bussiness, and that he had hard on (a Scottsman) say, quha com up befor vs, that altho ve had granted the taxasion freilie and vithout a contrar vott, yitt all the rest of his desyrs var denyed, and only for the cause forsayd, and that he kneu the man quha tauld itt to him by eisicht, altho he knew nott his naem. I sheu his Majestie that give his Majestie kneu the man by sicht I besocht him to try quhatt he vas and quhom he followed, and I should varrand he followed sum man or other quha had sum particular ends in the mater. Bott Sir, sayd I, God forbeid ye should beleive all that Scottsmen says, for ve ar ewin lyk other peipill, sum good and mor bad. Bott, says his Majestie, ye yourself vas agaenst the tuo thousand men. Itt is treu, Sir, sayd I, indeid I vas agaenst itt, nether had I any other reson bott the impossibillitie throuh the povertie of the cuntrie. Bott, sayd his Majestie, itt is nott onpossibill and itt shall yitt go on. Sir, ansuered I, tym vill try all things, and quhen your Majestie shall see the treuth, then ye vill knou quha ar your treu servantts, and quha hes bott only thaer aun ends.

Then his Majestie sayd, anentt the sending bak the commission of the Counsall, he thocht itt a grett contemp that ve should send itt bak and nocht latt itt go on; and so fell upon that poyntt of itt concerning the immunitie of thaer persons, shauing itt vas the prevelege thay had heir. To that I ansuered, So hes everie nobill man heir. That his Majestie denyed, bott itt did nott becum me to contest vith him, albeitt I think itt be very treu that I sayd. Thcn his Majestie spak sumquhat anentt the Precedents place in Counsall, and thocht itt strange that ve should putt in question his pouar to confer honor upon any man he pleised. I ansuered, God forbid, Sir, that ve should think so, for ve knau all very veill, that all honor cums from your Majestie, and ye may confer it upon quhom ye pleis. Bott in that particular the gentillman himself thinking that he vas alls able to doo your service sittin in that place of honor that your father had conferred upon him as in a heyar, and that itt micht putt a busse in sum nobill mens heids and yitt doo no good to your service, I houp your Majestie vill nott find fallt vith your servantts to send thaer opinions and offer itt to your Majesteis considerasion. Alluays in that ye may doo as ye list. Itt is bott a shortt tym lost; bott I doo assur your Majestie ve did itt vpon a good maning to your service. Bott, says his Majestie, I vald knau quhat pouar ye had to sitt efter my commission cam doun, for your only varrand vas vpon my letter till I teuk farther ordor, and my commission vas the farther ordor, and so by quhat pouar did ye sitt. I ansuered, I houp your Majestie vill nott think bott ve thocht ve had only pouar from you. Than, sayd his Majestie, I think I should be obeyed quhen I send doun my directions. Indeid give itt var only a mater of giving any thing by precep ye may stay itt till ye heir from me, bott my commandmentts, ye should obey thaem; and ye

durst not have doun so to my father. Alace, Sir, sayd I, a hundrith tyms your vorthie father hes sentt doun directions unto vs quhilk ve have stayed, and he hes givin us thanks for itt quhen ve have informed him of the treuth. Bott I prey your Majestie, give me leive to say sumquhatt. I suppos your Majestie nott being aqueintted vith the laus of our cuntrie be informed be a particular man (for his aun pryvatt ends) to send a direction doun to us directly agaenst lau. Ye knau ve ar suorn to give you treu counsall, quhat in that caes shall ve doo, ve can nott be mensuorne. O God forbid, says his Majestie, that is nott my meining.

Than his Majestie begouth to speik of his revocasion, alledgein that ve had givin outt that itt vald cast all mens rights louss, and that he vas nott mynded to doo any man vrong. Sir, sayd I, no man doutts of your Majesteis love to all your subjectts, bott give this revocasion be ons maed a lau, you have no pouar to mak any man a richt of aine aker of land longar than your aun tym. To this his Majestie ansuered, thaer vas no sic thing. Sir, sayd I, give (quhen ever itt shalbe sein to lauers and men of judgementt) itt shall nott be found as I say, than latt your Majestie think me nott only aine evill lauyer, bott a foull to the advantage. And quhaer itt vas reported to your Majestie that ve had givine out and spred thos things throuhoutt the quholl cuntre, for myself I sayd nevcr so meikill to any bodie in that mater as I had sayd to your Majestie yourself, and I besocht God that his Majestie did knau every mans meining and everie mans hartt to him and to the veill of his cuntrie (for theis tuo var onseperable), and I douted bott as God had givin him judgementt so he vald mak knaun to him all mens harts both quha spak treuth to his Majestie and quha spak only for thair aun ends and pryvett respectts.

His Majestie gave me direction to pay to Sargentt Bouy his bygon feis eivin as he gave direction for Jhoone Livingstoun and Jhoone Acmutie, becauss thay var all of aine natur, alluays having considerasion that his publik service var first doun.

Than his Majestie spak sumquhat to me concerning my Lord Ogilbe quhilk I houp I shall remember veill eneuh.

King Charles the First to the Lords of Session.

1626, March 9. Whitehall.—Forsamekle as we ar informeit that our umquhile darrest father of worthie memorie gave libertie to Alexander, Lord Elphingstoun, and the Master of Elphinstoun to mak choose of any of the nomber of the ordinar advocates to supplie the place of Sir Williame Oliphant of Newtoun, his Majesties Advocat, quho wes sett in the actioun of reductioun depending at the instance of the Erle of Mar and Lord Erskine, his son, against the said Lord Elphingstoun, and that the said Lord Elphingstoun haveing maid choice of Maister James Oliphant to supplie that rowme, it hes bene laitlie proponit and alledgit befoir yow that the choise maid be the said Lord Elphingstowne expyres be the deceis of our said

umquhile father of worthie memorie; and we nawayes being willing that be occasioun heirof justice salbe delayit to the said Erle of Mar thairfoir, we have declairit and declaires, that it is our speciall will and pleasour that he quhom the said Lord Elphingstoun sall mak choise of, of the nomber of the saidis ordinare advocates, sall supplie the rowme of our Advocat in all the saidis actiounes and causses depending betuixt the said Erle of Mar and Lord Elphingstoun, unto the finall end of the same. *Contemporary copy.*

KING CHARLES THE FIRST to the LORDS OF SESSION.

1626, March 17. Whitehall.—Whereas out of the earnest desire whiche we have alwayes had for the furthering of justice and to avoyd delayes, we wer pleased that yow should require Mr. James Oliphant to compeir as our Advocat in the caus depending betuix the Erll of Mar and the Lord Elphinstoun as we had formerlie done. Yett calling to mynd how our late dear father (in regaird of his awin interest) did writ unto yow heirtofoir that he might be acquented with all the progres of that action, and that yow should see the Marques of Hamiltoun and the Erllis of Angus, Nithesdaill, and Annandaill sufficientlie secured from any harme that might come to them by the succes of the samyn actioun; and therfoir our pleasur is, as wes formerlie intended by our said late dear father, that befoir the said mater be any forder hard the saids Marques and Earles may be secured conforme to the former letter, and likewise yow acquent us with what is done befoir ane decree be pronunced therin, nor that yow suffer no decree nor interloquitour to pas therin, nor in no other action depending befoir yow that may prejudge our revocation till yow heir forder from us. For doing wherof these presents shalbe unto yow a sufficient warraunt. *Contemporary copy.*

KING CHARLES THE FIRST to the EARL OF MAR, THE VISCOUNT OF STORMONT, and THE LAIRD OF GLENURQUHY.

1626, March 24. Whitehall.—CHARLES R.—Right trusty and welbeloved cosen and counsellour, right trusty and welbeloved counsellour, and trustie and welbeloved, wee greet yow well. According to our late royall fathers intention for making Glenalmond a free forrest (having to that effect made choice of yow to surveigh the boundes thereof), wee were pleased of late to signifie our pleasure for satisfieing of such persones who, pretending interest therein, did freelie submitt their right unto us. Now to the end that this our resolution may tak the more speedie effect in regard of the present spring being the fittest season of the year for storring the said forrest with deere, and being sorrie that our said fathers intention and ours to this purpose hath taken so slow a course, our pleasure is that (taking such others to assist yow whom yow our Treasurer shall think fitt to nominat) yow surveigh the saids boundes of our forrest (which for the greatest part consisteth of the lands which

belonged to Sir Patrik Murray, our servant), and that yow cause sett true merches for distinguishing the samen from the neighbouring bounds about to the effect that no beastes do in any wise annoy the same, nor the deere to be put therein, concerning which wee are willing that our lawes provided for such cases be put in due execution upon breach of anie point thereof. And our further pleasure is that yow in our name require the Earles of Murray and Perth, the Lairds of Glenurquhie and Lawers, to furnish our said forrest with suche store of deere out of our forrests in these parts (wherof they are the keepars) as may be most convenientlie spared, and that they for helping to bring in the said deere cause give their best assistance. And as in this so in all other thfngs, willing yow both touching the puting in execution the effects of our former letters concerning this purpose, and for the sufficient providing of fosters and keepers of the said forrest till our further pleasure be knowen, to use your best endeavours for advanceing of our said intention, wee bid yow farewell.

1626, March.—A paper entitled "Intelligence regarding occurrences in England, etc., etc.;" undated, but about the end of March, 1626.

From France.—It is reported that in that Court great discontent and division hes fallin out; that le Duc de Main is luppin out, and a great many followis his faction against Monsieure de Luinys, whom they assaulted bot mist narrowlie. That the Empreouris ambassadour was thair weill ressaveid and caresced by the King, to whom he said at his parting from Pareis, haveing first sent him a present, 14 peicis of Arras hingingis estimat to 3000 crounes, Tell, sayis the King, the Empreour, my unckle, I will not faill to assist him according to his meritte and my qualitie, and that man (poynting to the Duck de Vevers) I will send to yow with my forces; which ar thoct to be 3,000 horse and 15,000 futt. Duck de Vendosme and Duck de Guise ar compeditouris in the sam chairge. This new year Quein Mother sent to the King and Quein the Kingis young sister, and to Mons. de Soyssons great new yearis giftis to the value of 40,000 crounes; and the King sent hir uther giftis with a declaratioune of hir guid governement in tym of her regencie, quhairof schoe rested weill pleased and much contented. Four couple of mariages ar maid in the Court of France, altho the parties be verrie young, the Kings brother, the Duck of Orleans with Monpansies doughter, Count de Soissons with the Kingis sister, and the Duck of Guise his eldest sone with the Prince of Condies doughter, his secund sone with Mons. de Luyns dochter.

From Spaine. That the Pope hes sent by a bischop a Cardinells bonnet and hatt to the Kings thrid sone, whiche bischop gave him the first ordour of *prima tonsura* with the bonnet. The Cardinall of Sappata gave him the hatt with all the ceremonies and dignities of a cardinall, and he is called

Cardinall of Toledo. The sam Sappata was efterward sent to Valiodolie to treat with Count Beneventie tuiching the affairis of Cardinall de Lerma, called in Spain, il Cardinall Duca and of Calderona.

From Italie, we heir that Duck de Zouna, Governour of Naples, is conteneuallie leaveing men to send into Germany by way of the Grissons and Suisses, and payis a duicat *per testa* for thair passag. Upon ane uproir or question that fell out in Naples the authoris being apprehendit war taken and sent to the galies to the nomber of 43 gentlemen, among whom war men of speciall note.

From Germany. That the Bohemians have got a great defait. Count of Manflet, thair generall, being courting his mistres in Pragg, and his armie upon the fieldis with his Serjant-Major, Count Bucquoy set upon them on a suden, kild 300 men and defait the rest. Captain Henrie Bruce, in service with the Empreour, by whom he was maid Governour and Capitain of Nicollbrucht in Over Austria, being long seadged by the enemies and bravelie deffendit by Bruce, at last was rendered up upon fair conditions, much to his honor and reputation. The first 6,000 Casslachie, and efter 4,000 moir sent by the King of Polle in aid of the Empreour in thair passag had done much harme and great discontentment, spairing nather freind nor enemye quhair they cam, bot peild and kild all quhair they cam indifferentlie, speciallie in Silesia and Moravie, and uther placeis of Hungarie and Transilvania, at which tym the Prince Bethelem Gabor, much offendit, sent word to the King of Polle that he will cum and visit him or midsummer in his cuntrie with 80 thousand Hayduckis, a ravenious kynd of people lyke unto the utheris, the Gassachie of Polle. The gentlemen of Polle, affrayit and offendit at this, and the King of Polle excusing himself, and the wyt resting upon the Jesuitis, they have expelled the haill Jesuitis out of that kingdome.

Heir in England we have nothing bot brave shewis and treatties of ambassadouris. First, the King's corronatioun day, the 24 March, quhairon never braver nor moir glorious tilting was sein in England—a prince tilting in state most bravelie, weill performed for his aige and abone it, in honour of his fatheris coronatioun, whiche was so weill lyked, and the prince and his knychtis ar contented and ar appoynted to rin again upon Setterday nixt the first of Apprill. The nixt show wes on Sonday last the 26th Marche. His Majestie convoyed with all his nobles and officiars of staite in a most glorious bot modest manner (for all wer in blak) went from Whythall yett to St. Powall's in London and war thair resaveid be the major, aldermen and whole companies of London most bravelie, quhair his Majestie hard a sermon and maid a speich to that sam effect, to the great applause and contentment of all the people, and cam bak that sam way in that sam maner. His Majestie gave to the Bischop of London the text him self (Now is it tyme to build Sion), quhairby it may weill be conceaved the effect and cause of his going first that Sonday, being Mid Lent; and

Whytehall being far out of repairatioun, thocht it fitting to schow him sellff that day to the people once for all, as lykwayis to inveit and inceit the cittie to the repairatione of that rair monowment of Poules Churche. Evrie uther day is treatting of ambassadouris. The commissionar or ambassadour from the United Princes of Germany, quhairof the King was head and protectour, is pairted with sum discontentment; yit in end upon promises maid by his Majestie he seimed weill pleased and excepted the present sent him, whiche was a riche cupboard of gilt pleat whiche of beffoir he refuised.

Upon the Tilting day all ambassadouris being invited to the schow, the French and Spanish being equallie invited at on tym, two severall placeis of equall qualitie was provyded for them and thair followeris, so as no exceptioun nor distinctioun could weill be maid. The Spanish cam joyfullie without any scruple or cerimony; bot the French sent first to visit his place and thinking it bot of equall qualitie with the uther, taking no notice that the uther was ane extraordinar for this tym, and he bot a leager, refussed to cum at all and remains yit with sum discontentment. On scaffold being hung and maid reddie for the rest of the ambassadouris, the Venetion and Savoyan came, bot the Staits ambassadour refuissed, fearing competence with the Savoyan, alledging for him he had ordour from his Lordis to give place to none efter monarchis bot to the Stait of Veneice, and to evit scandall cam not at all.

Some ten dayis past the Countes of Buckingham invited Ladie Jeane Maneris, the Erle of Rutlandis doughter, to go to visit a ladie, hir father not being present. Sche went without his knouledg, and was that nicht keept still with the Countes and feisted by the Marques that nicht and the nixt. Hir father wold not suffer hir to be sent for. The thrid day sche was sent hom, bot hir father wold not resave hir, bot sent hir bak saying, since sche went without his privitie or command he sould keip hir that had hir, till schoe proved ane honest woman. So schoe remainis with hir aunt, the Ladie Knevet, and the Erle of Rutland miskens all.

1626, April 1 to 23 December, 1629.—Fourteen accounts of the receipt and expenditure of his Majesty's money by Sir Henry Wardlaw, during this period.

1626, May 6. Westminster.—Sir George More to "John, Earle of Mar, Lord Treasorer of Scotland, knight and companion of the most noble Order of the Garter, and of his Majesties most honorable Privie Counsell." Sending copy of ordinance made at a chapter held at the Palace of Westminster on 27th April, 1626, by which it was ordained that the knights of the Order shall wear in all places and assemblies, when not wearing their robes, "an escuchion of the armes of St. George (that is to saie) a crosse within a garter not inriched with pearles or stones, that the wearing thereof may be a testimony apt to the world of the honor they hold from the said most noble Order, instituted and ordayned for persons of the highest honor and greatest worth."

1626, November 4. Holyroodhouse.—Obligation by William, Earl of Angus, Lord Douglas and Abernethy, narrating that Thomas, Earl of Melrose, had dealt with him through his friend, Sir George Auchinleck of Balmannow, to defer proceeding in serving himself as heir to any of his predecessors until 10th December next (1626), before which time the Earl of Mar and his son, Lord Erskine, would be moved by friends to settle all questions between them, and "that the said Erle of Mar and his sone sall renounce all reicht they, thair airis or successouris can pretend to my landis of Gedvart Forrest as air to Dame Elizabeth Dowglas, Countes of Mar, or to any place or honouris belonginge to me by any infeftment of the erledome of Angus, and sall ratifie my infeftment." In consideration of this, and at the desire of the Earl of Melrose and Sir George, Angus undertakes to defer proceeding with the service of his brieves until the said day, but no longer; *witnesses:* Sir George Auchinleck (who is also writer of the deed) and Robert Dowglas, servitor to the Earl of Angus. The deed is not signed by Angus, and the Earl of Mar has written at the foot: "My Lord of Mar wes always content to refer all questions to freinds, bot never wold bind himself to renunce anything bot on sic tearms as freinds sould think meitt;" and on the back, "Copy of my Lord Angus first wrett to delay his service."

JOHN, EARL OF MAR, to KING CHARLES THE FIRST.

1626, December.—Most sacred soverane, The wisdome and guidnes wherewith God hath abundantlie replenished your royall hart, makes us hope and bege that your Majestie maybe gratiouslie pleased to permitt us to exhibite to your juditious and equitable consideratioun this our faythfull remonstranc and most humble and submissive petitioun.

Many of your Majesteis royall progenitouris, and speciallie Queine Marie, your grandmother, and your father of glorious and ever blessed memorie, calling to thair remembrance the faythfull and memorable service done be some of us and many of our predecessoris and authores, quhen thair crounes and lywes wer indangered by the joyned counsellis, forces and fraud of Popishe potentates and rebellious subjectis, tending to subversioun of religioun and state, and withstanding your blissed father atteining to his richteous inheritance of the croun of Ingland, did royallie rewarde the bloode, meanis and trawellis of us and our predicessors, by infeftmentes, erectiounes, grantis of landis, teynds, patronages, offices, jurisdictiounes, priviledgis and frie tenours whiche wer adwysed and drawen up be your Majesteis Advocatis, judges and lawyers of the best fame, learning and experience in the bypast and present tymes, quho gave assurance to thair clientis and freindis, that thair titles and securities wer perfyte walide in law. For farder corroboratioun quhairof by thair adwyse sume of our rychtis wer originallie granted in Parliament, and many utheris amplie ratified by your Majestie and Estaites of the kingdome, as the most accomplished perfectioun which could be interposed to any inviolable title of

inheritance within this realme. Be wirtew quherof we and our antecessouris and predicessouris in richt have peceblie possest our afoirsaid inheritances by the favour, justice and protectioun of your evir blissed father, your grandmother, and uther royall progenitouris without any contraversie or questioun, and have obteinet thame many ways authorized by innumerabill sentences of the Lords of Sessioun, and most eminent judges of this state, resting thairby confident that we and our posteritie sould enjoye the lyk securitie and quyetnes under your Majestie, comparable in justice and bountie to the best and most famous of all preceiding kingis, till now your Majesteis Advocatis with concurrence of some counsellouris at law, in your Majesteis name and for your interess, intendit actioun and cawsed summond us, and many utheris, your Majesteis faythfull subjectis, to heir and sie our richtis and heritabill titles of the befoir mentionat nature, reducet and improvin. And altho your Majestie maybe informed that the event of this doeth only cencerne us and utheris quho ar expreslie summond (whose number, qualitie and interest [ar] in sume sort considerable), that it is more nor manifest that thowsandis more of your faythfull subjectis quho have at deir raites purchessed from us and our predicessouris large portiounes of landes and teyndis ather mediatlie or immediatlie may by the event of this action be in equall danger with us of irreparable ruine, so that we may trewly affirme that your Majesteis revocatioun taking effect (even with the limitatiounes conteinet in your Majesteis proclamatiounes) and sentence being pronuncet, and putt to executioun againes the multitude interest by this summondis, according to the conclusioun and desyr thairof, may bring more irreparable ruine to ane infinite number of families of all qualities in everie regioun of this land than wes in any former aage inflictit upoun our forbeares by the srewdest and fearcest froounes of adwerse and maling fortoun; because the vicissitude of humane accidentis and conversioun of tymes and effaires left meanes to the afflictet pepill of the deplorable dayes to repair (suppoise slowlie) the overthrowes of the ruined estaites. Bot gif your Majesteis revocatioun and actioun of reductioun presentlie depending sould tak from us and so many utheris interessed the titles of our lawchfull inheritance, no course of tyme nor affaires, being the lyf and sowle of your subjectis, can assuire or promeiss to us any probabill hope of recoverie of our wreched and perished estaites; nothing in that case resting to the maist pairt of us but dignitie without meanes, families without mantenance, and burding of annuelrentis and debtes to our creditouris and such as we ar obliest to warrand, quho by our inhabilitie to keip promeis, band and fayth to thame, will become pertakers of our miseries. We ar no wayes diffident of the sufficiencie of our titles, and much less of your Majesteis justice and bountie, bot the instance laitlie maid to have your revocatioun registrat in the Bukis of Sessioun to have the strenth of ane decrit of thes eminent judges against us, and exceiding many more of your Majesteis subjectis, incited and unhard, contrar to your gracious

intentioun expressit be two proclamationes published and printed, and our principall advocatis, acquented with the secrites of our richtis, whose assistance we expectit in defence thairof, being now our persewaris in the reductioun and improbatioun intendit, forces us to have recourse to your sacred Majestie, humblie beseiking yow graciouslie to beliewe that as we ar most unwilling to oppose ony of your royall intentiounes, bot rather frielie and faythfullie disposed to spend our lywes and fortounes in your service, so we expect and maist humblie bege that eftir dew consideratioun of the manifest prejudice of so grit number of your faythfull pepill your Majestie may be pleased to command the afoirsaid registratioun and reductioun to surcease for a tyme, and ather to call a Parliament, which is the earnest desyr of all your pepill, extreamlie longing for the happines of yonr sacred presence, or gif the multitude and weght of your royall effaires may not grant us the felicitie so zelouslie and universallie desyred, your Majestie may bountefullie enclyne to appoint a competent number of best experimented counsellours, prelatis, noblemen, judges, lawyeris and pairteis interessed in the bussines to conveine and treat of all that may concerne your Majesteis proffeitt and patrimony, and your subjectis lawfull suirteis, by quhome the joynt and equitable securing of both being impartiallie representit to your most excellent judgment, such lawchfull meanes may be adwysed as may giwe all respective satisfactioun to your just desyres, and supplie to your royall patrimony and effaires, extraordinallie important in thes difficult tymes, without irrecoverable overthrow; and that the recompens which your Majestie offeris to those quho for obedience of your will sall renunce thair titles as testimonies of thair most humble desyres to giwe all furderance that they can conceawe to be affectit be your Majestie may by consent and auctoritie of the Estaites be secured to thame according to your gracious declaratiounes, which they ar confident your Majestie dois no less intend than your auen power and proffeitt; quherin nather our lywes, landes, guidis nor faythfull endevouris salbe wanting, bot is hartlie contrabuited for your service and contentment, as our fervent and sinceir prayers ar and salbe ever powred out to God Almightie to grant your Majestie long lyfe, constant helthe, flowrishing and incressing empyre, permanent prosperitie, to be crowned with immortall renowne upoun earth and endles blisse in heavin, we rest, etc. [On the back]: "Petitioun presentit in December, 1626."

1626.—Observations anent the Commission of Judicatory of the Exchequer, humbly proponed to his Majesty's Royal deliberation (evidently by John, Earl of Mar, Lord High Treasurer, c. 1626).

This Commissioun off Judicatorie gewis no power of judicatorie, nor appointtis ony actiounis to be intendit, parteis to be summound, or sentencis betwixt parteis to be pronuncit.

Itt makis one off the principall officearis off the kingdome to be in effect interdytit, gewing him no power to do onything in his office without concurrence off ane number joynnit with him, wtherwayes his proceidingis to be unlauchefull and null.

It gewis the frie and full power of his office to wtheris who in his absence maye do all thingis concerning the office more frielie and absolutelie nor he micht do when he is present.

It makis all suche signatouris concerning landis, patronages, casualiteis and wther thingis insident to his office, to be lauchefullie expede bye wtheris in his absence without his subscriptioun, whiche wes nevir intendit or practised in ony bygane aige.

His office bindis him to mak compte off all compositiounis, casualiteis and sowmes off money belonging to his office and intromissioun, and the commissioun excludis him frome power or knawledge of thingis insident to his office, whiche maye be done without his consent or knawledge when ather his lauchefull effairis, indispositioun and seiknes, to whiche all men ar subject, or his Majesteis effairis or commandementis, sall mak him to be lauchefullie absent.

Iff signatouris, giftis and casualiteis expede bye this commissioun, bye ony of the commissionaris present, according to the power gewin to thame, sall be impugned and sochte to be reducit bye parteis haiffing interrest, it sall bring thame to triall whiche off the officearis or commissionaris wer present, who wes Chancellare off the Excheckare, who was eldest counsallour, whidder his aige or his being counsallour maid him eldest counsallour, and to trye the tyme when he wes admittit counsallour.

And whereas the ordinare commissiounis off Checkare, whiche is a jurisdictioun off eminent power in materis concerning his Majesteis rentis, prescrived ordour for directing all materis and deciding all caussis concerning his Majesteis rentis and casualiteis propire to the offices off Tresswrarie, Comptrollarie, Collectorie, and Tressawrarie off new augmentatiounis, this commissioun forgettis all mentioun off the offices off Comptrollarie, Collectorie and Tresswrarie off augmentatiounis. And althoe it maye be trewlie alledgit that thair is no grit respect to be hade to the offices off Collectorie and Tresswrarie off new augmentatiounis, becaus the benefeit thairoff is now almost extinguished bye alienatioun off the moste parte off thingis belonging thairto; yit the Comptrollarie is the cheiff and in effect the onlie office importing his Majesteis rent and proffeit in the kingdome, becaus it comprehendis the rewenew of all his Majesteis landis and customes, whiche is the onlie assured and proffitabill rent his Majestie hes within the kingdome.

A place is ordanit to be appointtit where everie thing conserning the Checkare is to be done; bot no power is gewin be the commissioun to do it.

Parteis interessed or ordanit be the commissioun to be admonished, bot no ordour gewin for summondis, executioun thairoff, or legall proceiding thairin.

No power gewin for calling parteis comptable. No power expressit for directing charges and denuntiatiounis aganis the disobedient.

It is to be rememberit that a formall and ampill commissioun of Checkare wes grantit bye blissed King James, wherein the now Archebischope off St. Anrose, thane Archebischope of Glasgw, wes designed president in anno 1609 or thairbye, whiche remaned unaltered to his Majesteis deceis.

The neglect off conwening of these commissionaris off Excheckare, offerris mater to his Majestie to considder what maye be expected off the diligence and attendance off commissionaris, iff cessionaris who ar onlie preceis residentis in Edinburgh sall be strictlie excludit frome all commissiounis wherein thei haiff in bypast tymes bene moste frequentlie employed and haif moste diligentlie attendit; whereas wtheris whois residence wes in the cuntrie, and who hade no benefeit for thair attendance, did seldome conwene. And iff his Majestie allowe feis and pensiounis to suche as he sall now mak commissionaris, it is to be feirit that the charge maye excede the fruittis arising of thair trawellis. And iff he giwe no suche allowance thair is small hoipe off thair residence.

The Earl of Mar to King Charles the First.

1627, February. Holyroodhouse.—Most graciouss soveraine, I render most humble thanks for your Majesteis favorable letter delyvered to me by the Erlle of Rothess, nether could anything be mor vyllcum unto me then to ondirstand both be your aun letter as allso be the Erlle of Rothess your Majesteis graciouss disposition towards your subjects of this kingdom in that itt hes pleased your royall Majestie to grantt a neu commission to dealle vith thaem in thess contraversiess by action of lau intented agaenst thaem. I can never think otherways of thaem bot thay vilbe most willing to give all possibill satisfaction unto your Majestie as thay ar able vithoutt thaer utter ruine rether than to disputt in lau vith thaer soveraine. And for myself my resolusion hath ever beine, is, and shalbe, to prefer my masters service and the good of my cuntrie to my aun particular. And thaerfor I humblie beseech your Majestie to conceave the best of my sincere intensions and loyall servicess, quhaerin non shalbe mor forward to prefer my masters service and the publique good to his aun particular. [For I persuade my self that your Majestie vill nott esteime me so voyd of sense as nott to ondirstand hou easie a mater itt is for your royall Majestie to repair my privatt loss vithoutt any greatt prejudice to your self]*, and so assuring your Majestie of my continuance in the lyk fidelitie and sinceritie in your service as I have formarlie doune in the tym of your father of vorthie memorie and as doth becom a treu and faethfull servantt, efter the kissing of your sacred hands I rest, your Majesties most humble subject and servitor, J. Mar. *Copy.*

* The part of the letter in brackets has been scored out.

THE EARL OF MAR to KING CHARLES THE FIRST, and DIRECTIONS TO THE EARL'S SON, HARRY.

1627, March 19. Holyroodhouse.—Most graciouss Sovereing, The gretest of my vardlie desyres being to end my lyf in your Majesties good grace, as I did happelie enjoy that of your blessed father in the courss of my bypast lyf by his bountifull acceptans of my faithfull endevors, as veill in continuall attendanss upon his sacred person as by my reddie obediens of all his royall commandmentts, in maters of such qualitie as his trust did exceidinlie honor me in so greatt a charge as God maed me happie by the successe to his Majesties contentmentt. Now quhen my age and infirmitie disables me from such performansis, as I still vish I micht adde to quhat is bypast, I have found that sum men, quho onder colour of mor zeale to your Majesties service nor I can perceive by the courss of thaer dissenis to be treulie intended, have by such vays as my soone, berar heirof, is directed by me to signifie unto your Majestie quhen your better affaeris may allou him the honor of your graciouss heiring, have studied ether to mak me incur your Majesties displesor by refusing to give vay to thaer obscure projects, or to be ane odiouss and onprofitable exemple to others, quho in my opinion vill nott by my proceiding be moved to tak the lyk courss in their particulars of the lyk nature, and so vauld make me hatefull as a man, preferring my privatt interes to the publick good and your Majesties service. I am, as I vas ever, resollved to submitt unto your Majestie all that I possess by the favor of your royall progenitours bestowed upon my predecessors and myself for our constantt fidelitie and services continued as manie ages as can be recorded to have bein done by any subjects in this kingdome, outt of my confience that your Majestie vill have suche gracious respectt to my ancientt houss and poore childrin in great nomber (to quhom I shall never vish blessing unless thay persist in thaer forbears course of fidelitie in your Majesties service), as thay may have some meanes to save them from that vantt and misarie as may mak thame a reproche to thair kinred. I vill nott troble your Majestie vith the particulars nor vith my treu excuss of my so long silence, butt most houmblie besaiche your Majestie to permitt the berar to exprese thaem att any tym of your convenientt leasur, and to believe that no subjectt on earth shall continu more faithfull in your service or mor ferventt in his daylie prayers for your Majesties long and happie lyf and reigne then, Your Majesteis most houmble servantt.

The rest man be by instructions of ill mens projectts to have forced me by the first commission ether to have renunced all I had or to have incurred his Majestis displesure for my refuse.

That thay have striven to bring me in the first quarter outt of the lyk intension.

That thay ar averse from the progress of this commission becauss itt vill exclude thaem from thair gridie houps of all the tithes to them sellves.

That thay vithstand his Majestis just intension to all heritours to have thaer aun teynds for the peymentt bott vald still possesse thers.

The burding of my debtts.

The provisions of my childrene apoynted to have beine outt of that quhilk his father gave me for service that vas nott onprofitable. Gif thay shall nott have mentinance thatt vay I vilbe forced to leive thaem beggers. *Copy.*

King Charles the First to the Treasurer and Treasurer-depute of Scotland.

1627, May 25. Whitehall.—Charles R.—Right trusty and welbeloved cousin and counsellour and trusty and welbeloved counsellour, wee greete yow well. In regaird wee think it fitt that all signatoures and wreittes that are to passe our hand or the handes of our commissioners should be so formallie and lawfullie done as neither our subjects nor wee should in aniewise be wronged; and understanding perfectlie that none have reason to looke so narrowlie unto those thinges concerning our revenues or casualties of our crown as yow in regard of the charge yow have from us, wee are therfor well pleased and do hereby authorise yow that from henceforth yow stopp anie such signature or wreitt either that shall passe our hand here or under our cachet there, as yow shall have just reason to think that the passing thereof will prejudge us, and that untill such time as yow advertise us of the hurt or inconvenient that may thereby redound unto us. So wee bid yow farewell. From our Court at Whitehall, the 25 of May, 1627.

Addressed:—To our right trustie and welbeloved cousin and counsellour and to our right trustie and welbeloved counsellour, the Earle of Mar, our Treasurer, and Sir Archbald Naper of Mercheston, knicht, Treasurer-deputie in our kingdome of Scotland.

The Earl of Mar to King Charles the First.

1627, July 4. Holyroodhouse.—Mostt graciouse Sovereing, I could nott omitt to troble your sacred ears vith this shortt letter altho I knau this gentilman berar heirof can mor fullie acquentt you vith all particulars concerning your Majestis service in this cuntrie. In my pour judgementt the principall thing your Majestie hes to advertt unto (nocht overseing your aun profeitt) is the good of your subjects vith quhom I doo nott doutt bott outt of your justice and greitt judgementt your Majestie vill deill vith aene equall hand. I vill nott troble your sacred eys vith my long scrybling bott vill remitt all particulars to this berar. Thus most humblie craving pardon for my presumsion, efter the kissing of your royall hands I rest, your Majestis most humble subjectt and servitor, J. Mar. *Copy.*

(On the back it is stated that the letter was sent by Sir Archibald Achesoone).

1627, July 10.—My freinds information att my going to London. "*Dell amico.*"

1. To trye the dispositioune of the tyme and the affectioune of persones so far as may be indirectlie, and by suche as by past proof yee know to be your particular and assuired freinds, and who respect yow more nor any pairtie with whome yee have to doe.

2. At your first comeing to the toun pretend no busines butt Jhones erectioun and teynds to see the generall course, because when Harie offerred in his fathers name to have dealt particularelie the pairtie would not; and now sence maters ar putt in the pairties will, yee intend after knowledge of his resolutioun in the generall to adverteis Johnne, becaus yee ar assuired he will doe what shalbe thoght fitt.

3. That the goodwyff moved Johnne to caus yow mak the jornay for the interest of hir dearest freinds in that kynd.

4. Be carefull to learne how far the Laird hes proceided and expressed himselve in the bussines he proponed to Johnne befoir he went away, and if yee rencounter with him yee may heare als muche as he pleases to tell yow, geveing suche trust as ye know he merits. In conferrence with him or the old man or the young ye must be provyded of patience and distrust in a fair maner.

5. Your greatest care must be to learne what those people intend, by whom they deale and ar assisted, what respect they find in particulars, sence it is noght to be doubted butt they will gett countenance and good generall woords.

6. Be carefull to meet Williame in his returne. Try als particularlie by him as yee can how he is affected to those people and specialie to the young man, and whidder he inclynes to that young man or to his good brother. By him also yee may learne whiche of our people hes the trust of his affairs, and it were not amisse that he recommended your busines to thame by a letter, if yee think fitt to crave it and he to wreate it, otherwayes yee may misken it.

7. Yee must speak to all men kyndlie or not at all of the skipper, becaus it is thought manye speaks evill of him to try mens mynds and report what they heere.

8. It is fitt yee learne what secreit wayes the depute used there, what were his projectes, who assisted thame, and upoun whom he relayes, and specialie what termes ar betueene him and Williame.

9. If James can find any hand some meane to cause some haveing credite of the goodman to persuade him to prease the old man to quyte his tuo offices, it will perchance mak him more moderat in maters concerneing others.

10. At your first comeing to toune I would not wische yow to entir too soone to your busines but stay some tyme till yee see the course of the marcat and thereefter mak use of it.

11. Be not passionat in James his busines and persuade him to patience, for his pairtie will tempt him to impatience and tak advantage therof befor there judge.

12. The questioun anent the peats will in my oppinioun doe ill to his cause and mak him odious if it be not mitigat.

13. When tyme serves, yee may seeke the renewing of Johns office. But I would mak that the last of my earands rather then mix it with the other greater, wherein by way of gentle regrate it may be told that Johns misluk hes beene suche that when he wes persewing his lawfull actiones the common course of justice hes beene interrupted by credite of his adversars, and ever he haid beene putt to extraordinar trouble and charges by there meanes, howsoone he obteaned sentence he dealt so favourablie with his pairties as he gave thame almost the full worthe of the land, and haid no suche advantage in the eas of the pryce as might have refounded the half of his expenses.

14. That there is nocht any pairtie with whome he hes questione, but he shalbe content befoir he proceid further in law with thame to submitt there controversie to freinds, with declaratioune that howsoone any pairtie shall show a valide right he shall presentlie renunce all actioune. And if before they putt him and thame selves to more trouble and charges they will aggrie at the sight of freinds, he shall quyte the thrid of the worth of his right and more, if freindlie arbitoures think it expedient. But if any refuise that course it may justlie be desyred that his actioun be recommended to be decided with expeditioun.

15. If muche be talked of the superiorities, reasones may be geven why he sould not be hindered for that, sence it is alse lawfull for him as others to enjoy his right in that kynd. And if the old men and others in that pairte, who have many more nor he can obteine by this actioune, will transact with there maister for there superiorities, he shall quyt his to him at a cheaper rate.

16. But if the old man refuis to quyte his superiorities and offices it is als reassonable that Johne possesse his or recover thame.

The Earl of Mar to his son John,

"To be shaun to his Majestie."

1627, August. Alloa.—Soone Jhoone, By your letter I doo perceive that his Majestie thinks he vill deill no farther in this mater of the valuasion and pryces of theiths nor of feu deuteis, till first he onderstand that itt be remitted to him by the sellars alls veill as itt is doun by the byars. This is the occasion of my wrytting of this letter unto you att this tym. I prey you assur his Majestie from me thatt I vill submitt unto him all that I have ether of teinds, superiorities or feu deuteis. I have vryttin this letter to you rether than to troble his Majestie vith my evill scrybling. God forbid that I should go bak vith that quhilk both myself and my vyf did signifie to his Majestie be our soone

Harie. Itt var both follie and falshod in me to doo itt and I knau my master vill think me a mor honest man than to play sic triks. Itt is treu ye knau my straetts ar grett and very grett, and I doo nott doutt bott his Majestie vill have respectt to his auld servantt, his houss and childring being both in sic straitts as ye knau. This is all I can say att this tym, bott only quhousoun ye have doun your bussiness thaer hest you hom, and have a caer that the bonsetter be caerfullie sentt unto me. So I rest, Your loving father, Mar. *Copy.*

1627, August.—Submissions made to his Majesty by the Earls of Roxburgh, Melrose and Landerdale. Copy made "for your Lordships self onlye."

Copy of my Lord Roxbrughes letter to the Kingis Majestie.

Moist sacred Soveraigne, Being informed by Sir Johne Stewart of Traquair, and haveing sein an lettir direct under your Majesteis awin hand to the Lord Balmerinocht and him testefying that your pleasure is to have a more absolute submissioun frome these wha hes right by thair erectiounis then that presentit to your Majestie by the said Lord Balmerinocht and Sir John, and subscryvit by diverse whois rightis standis by thair erectionis, that it may be absolutely in your Majesteis handis to sattill and determyne, as sall seym moist just in your gratious considderatioun, all these contraversies concerning the valuatioun and pryces of teinds and the pryce of fewdewties; and I haveing ewir bein bussied since I understood this much of your Majesteis will in that commandement I hade by your Majesteis lettir for the furtherance I was abill to mak for men to attend the Erle of Mortoun in this charge your Majestie hes gewin him for supplie of your just warris with France, so that I could nevir have tyme, nor yit hes, to be in plaice where I might resolve so legally as may seym necissarie for my interes to give obedience unto your Majesties will. And doubting that delay may mak my trew meyning appear other then it is, or evir hes bein, I have thocht it meitest with an loyall hairt under my awin hand in substance to give your Majestie full satisfactioun, by laying at your Majesties feit all right and tyttill I have, with full power to determyne at your pleasure in these aforesaid differences. Whate dois concerne your Majesties selff, as that of the pryces of the fewdewties, I nevir maid nor will mak questioun in it. Set doun whate your Majestie pleases. I am, and sall be, hairtely content with it; and whate may seim good or necissarie to your Majestie for the ease of otheris to be done in the valuatioun and pryces of thair teinds, as is aforesaid, I nevir doutit, nor do I dout, your Majesties justnes and equitie in your considderatioun of all particularis betuixt pairties, and specially whate might concerne my selff. So determyne in the premises as sall seyme moist expedient to your Majestie, and I sall hairtely and willingly obey it as in everie thing els that cane be moist deir to me. And yff at this generall meiting that sould be at Edinburgh the 29 of this instant thair may be

a more commowne consent hade for your Majesties satisfactioun, none sall more redely further it and more willingly put thair hand to it then my self. Yff not, by these under my awin hand, which in all humilitie I desyre may be acceptit of your Majestie, I do bind myself to abyde at your Majesties determinatioun, and to renew the same, yff neid be, till your Majestie be fullie satisfeit with my obedience in the premises. So humblie craveing that my faithfull and loyall intentioun may procure pardoun for all informalitie that may appeir, I forbear forder trouble at this tyme, and sall evir remayne to my death, your Majesties moist humble and obedient subject and servand, ROXBURGHE.

Copy of my Lord Lawderdaills letter to his Majestie.

Moist sacred Soveraigne, Albeit the act of the Commissioun and lettir presentit to your Majestie by Sir Archibald Atchesone, frome the commissioneris, seymed to me and many otheris of bettir judgment sufficiently to tye all those who set thair hands to it, yit hearing your Majestie did requyre a more particular submissioun frome those who have erectionis, in that nomber being one for the Abbacie of Hadyngtoun, I sall nevir shune to lay my lyfe and fortunes at your Majesties feit, and do heirby in all humilitie (for any interes I have in boithe these particularis mentiouned in your Majesties declaratioun to the Lord Balmerinocht and Sir John Stewart) absolutly submitt to your Majesteis moist just and royall determinatioun boith whate sall be the pryce of the fewdewties, and whate sall be the proportioun and pryces of the tithes dew to me by the erectioun foirsaid. And as I do heirby declair that this sall be als valeid to bind me and my airis for ewir to stand to whatsoewir your Majestie sall be gratiously pleased to decerne in the premises, so at our generall meiting which is appointit to be at Edinburgh the 29 of August, I sall be moist willing to concure with and give exampill to otheris to do the same in a more ample and legall forme. For since I must ewir acknawledg my self by mo hereditarie obligationis more particularly tyed to your Majesteis service then utheris, I sall be extream sorie yff in sincere and redy obedience to all your Majesteis commandementis any sall prevein or go beyond your sacred Majesties moist humble and moist affectionate subject and servitour. (Not signed).

Copy of the Erle of Melros submissioun to his Majestie.

I, Thomas, Erle of Melros, acknawledging the grace and favour offerit by his Majestie, by his commissioun for surrenderis and declarationis to the possessouris of erectionis anent the rateficatioun and renewing of thair private rightis, fewis and takis of particular landis, teindis, mansionis and otheris thairin conteanit and humblie accepting the same, for testefycatioun of my moist hairtie thankfullnes do heirby renunce to his Majestie all the superiorities belonging to me by the erectionis of Melros and Coldstream, without any conditioun of recompence bot

whate his Majestie of his frie bountie sall be pleasit to giff. I also submitt to his Majestie the satisfactioun to be gewin to me for each hundreth markis of few maillis or chalder of few ferme yeirly dew to me by my saidis erectionis, and the estimatioun of the quantetie and designatioun of the pryce to be gevin to me for all the tithes belonging to me by my saidis erectionis; reserving only my private rightis, fewis and takis of church landis, teindis and otheris according to his Majesties commissioun and declarationis befoir mentioned. To all which premises I heirby bind and obleise me and my airis, and am content and consent that this my submissioun be extendit in such ample and legall forme as may best sattisfie his Majestie; not douting bot that his Majestie will be gratiouslie pleasit to considder that I have no erectionis bot whate I have boght at dear rates, and speciallie Melros frome the late Erle of Holdernes to whome it was gevin for memorabill service, not unknowne to his Majestie; to whois good pleasure I absolutely submit my self by these presentis wretin and subscryvit with my hand at Edinburgh, the tuentie tuo day of August, a thousand sex hundreth tuentie sevin yeiris, befoir thir witnesses, Maisteris Adam Hepburne and Archibald Oswall, and George Pringill, my servantis. Sic subscribitur, Melros w^t^ my hand; A. Hepburne, witnes; Georg Pringill, witnes; M. R. Oswall, witnes.

King Charles the First to the Earl of Mar.

1627, October 11. Whitehall.—Charles R.—Right trustie and welbeloved cousin and counsellour, wee greete yow well. Wee received your particulare submission concerning those things lately submitted unto us by the Commission for Surrenders, which wee tak very kindely at your hands, and shall not be unmyndfull to expres the effects of oure favoure and respect unto you at the first occasion that can conveniently offer for doing of the same. But in regarde wee intend to proceed legallie in this purpose, seing wee have accepted upon us the decision thereof, wee have been pleased to require oure Advocats to draw up a legall submission or other securitie which may stand good in law of all persones interested in the said particulars, wherein wee do intend so fairely and equitablie to proceed that no persone shall have just cause to complaine. Therefore wee are confident that you will go on in that generall and legall course as you have already showen your affection in your said particular. And in regarde you are an officer who hath cheefe charge of oure revenues, besides (as wee have just reason to conceive) that your knowledge and long experience in anything that may either concerne oure benefite or the publict good, may conduce by your advice to our proceedings herein, wee have thought good to desire your private opinion concerning those things so submitted unto us, wherein wee have given particular instructiones to oure trustie and welbeloved Sir Archibald Achesone, knight, to be imparted unto you. So

expecting your answere concerning this purpose with the most convenient diligence that may be, wee bid you farewell. From our Court at Whitehall, the 11 day of October, 1627.

Addressed:—To our right trustie and welbeloved cousin and counsellour, the Earle of Marr, our Treasurer of our kingdome of Scotland.

[This letter is stated to be brought by the Earl's son John.]

THE EARL OF MAR to KING CHARLES THE FIRST.

1628, February 11.—Most gracious sovering, (Being enforced be the onjust calumneis of my onfreinds) I have presumed to troble your sacred ears vith theis feu lyns. Give itt had beine Gods plesor to give me habilitie of bodie I should have beine the messenger my self, bott sens itt is otherways I have sentt up this berar, my eldest soone, to ansuer to all can be sayed agaenst me, quhom in all humilitie I vill intreitt your Majestie to creditt. I can nott bot render your Majestie most humble thanks that you ar plesed to heir him befoir ye give my partie any ansuer. My humble seutt only is that your Majestie vill keip an ear for me, and I houp the combinasion of a number quha hes only thaer aun privatt ends shall nott move your Majestie to think any vays of me bott as your Majestis auld and faithfull servantt, MAR.

(On the back it is stated that the letter is sent by his son John).

KING CHARLES THE FIRST to [?the COMMISSIONERS OF EXCHEQUER].

1628, March 26. Whitehall.—CHARLES R.—Right trusty and right weilbelovit cousin and counsallour, right trusty and right weilbelovit cowsins and counsallours, and right trusty and weilbelovit counsallours, we greet yow weill. Some articles contening an overture of a large increase of our yearlie benefite arrysing by the casualities of wardes, nonentresses and mariages of heires in that our kingdome, in a faire way without wronging our subjectis or derogating from our power over the heires of ward landes, haveing been showin unto us and by us considdered, we have conceaved weill of the purpose and intend to prosecute it by granting a lease of those casualities for some yeares upone the conditiounes propounded in the said overture, though we wold not fullie determine therein without your advyse. Therfor wee have sent yow heirwith inclosed the said articles contening the said overture to be seen [and] considdered be yow befoir the expeding of any lease thereupone, and our plesour is that with all diligence yow seriouslie considder thereof as of a purpose whereof we have taken speciall notice and that immediatlie thairefter yow signifie your opinion concerneing the same to Mr. Thomas Hope, our Advocat, to the effect he may draw up a signatour and lease of those casualities to be past in favours of any persones whome we sall think fit according as he sal receave directioun from us, if yow doe approve the said overture. And if yow doe not approve the same, haveing just

and [ne] cessery reasones to the contrarie whereby yow may mak it evedentlie appear unto us that it is a course tending to our prejudice and noway good for our service, that yow set doun those reasones under your handes with a note of what moneyes have been payed unto us and our late dear father, and maid accompt of in Exchequer for whatsoever wardes, nonentresses and mariages of heires in that our kingdome these sevin last preceiding yeires, and delyver thame to our said Advocat whome we will to bring thame unto us, because he is by our directioun to repair unto our court, that we may considder thereof and signifie our pleasure unto yow concerning the same. Se we bid yow heartely faireweill. Followes the Articles:—

To the Kings most sacred Majestie.—Heere is a propositioun offered to your Majesteis considerationne by which (if your Majestie approve it) your yearlie benifite arrysing by the wardes, nonentries and mariags of heires in your Majesteis kingdome of Scotland is offered to be dowbled and a constant revenew made thairof to your Majestie in tyme to cum, whereas now it is uncertane.

1. Whatsoever soume of money hath been payed yearlie to your Majestie or your lait royall father and maid compt of in your Exchequer and subscrybed accomptis of your rentes, casualities, or new augmentatiounes of the croune and principalitie these sevin last preceiding yeires (*communibus annis* the better to mend the worse) for whatsumever mariages of heires, wairds, and nonentries of lands, annuelrents, baronyes and others within your said kingdome, perteining ather to the croune or principalitie or hauldin of your Majestie or your said royall father or ony of your nobill progenitours, kinges or princes therof by service of wairde and releif, untaxed or intaxed waird, or by whatsoewer uther maner of way or haulding; tuice so much sall be paide and maid count of in your Exchequer yearlie dureing the space of sevin yeires nixt ensewing for the wards, mariags, and nonentries now vaiking in your handes or perteining to yow and at your Majesteis gift, or which sall or may be fund to vaik in the handes of your Majesteis or ony of your successours, kinges or princes of Scotland, or being at any of thair gifts or dispositioun be whatsoewer maner of way at any tyme dureing the said space, and good sufficient securitie sall be fund for that effect, if your Majestie sall be pleased to farme those casualities and grant a lease thereof, dureing the said space or further dureing your Majesteis plesour to the propounder heirof, or uthers whome he sall nominate and think fitt.

2. And least it micht be thought the takismen of those casualities (if your Majestie grant a lease thereof) may wronge your subjectis whose wards, mariags and nonentries ar now vaiking or sall vaik dureing the tyme of the lease, by hard usage and exacting more than your Majesteis due, this offer sall be maid goode and the lease accepted upone those ensuing conditiounes, to witt:—

3. That no more sall be takin for the compositioun of ech untaxed warde then the thrid of your Majesties and your said successours due, els if the landes of any heire being in warde sall be found to be worthe three hundreth pundis of yearlie revenew, tuo hundreth thairof sall be allowed to the heire and awner of the landes for ech yeir of the warde, and the takismen sall onlie have and exact the thrid of thair due, wheras now the whole rentis and duties of untaxed warde lands may be taken up and intrometit with by your Majestie or your donatour dureing the tyme of the said waird; and for such wards as ar taxed, the takismen sall onlie have and exact the taxed duties thairof for thair due.

4. That no more sall be taken for the mariage of any heire which is taxed then the taxed duties thairof, and for the mariage of ech heire which is untaxed on years rent of the landes and uther inheritances whereunto the heires succeideth. And if any heir or heires whose mariags ar now vaiking or sall vaike during the tyme of the lease sall not lyke of that conditioun, the takismen sall in place thereof accept that which in lawe may be fund due to your Majestie or your said successours for those mariags, and sall also acquit a fowerth pairt thairof in favor of those heires, els if fower hundreth pundis sould be found due to your Majestie or ony of your said successours for the mariages of ony of those heires who sall not agrie to the said conditioun of on yeares rent, as said is, the takismen sall accept of three hundreth thairof for there due and quit the fowerth in favor of the heire.

5. That no more sall be taken for the compositioun of ech nonentrie then the half of your Majesties and your said successours due, els if for ony one nonentrie, tuentie punds sould be fund due to your Majestie or your said successours, the takismen sall onlie have and exact tenn thereof for there due, and the other tenn sall pertein to the heires and owners of the landes and uthers which sall be fund in nonentrie. And, further, if ony landes now being in nonentrie sall be fund be the negligence of the heires to have been and remained soe any langer space then the said sewin last preceiding yeires, the takismen sall exact no more for the nonentrie thairof for any yeir preceiding the said last sevin yeires then such resonabill compositioun as the owners of those landes sall agrie upone with the takismen, or uthervise if they can not condiscend, such reasonabill compositioun as your Majestie and your Treasurer and officers of the Exchequer for the tyme being sall appointe.

6. That the heires and awners of all landes sall have the wardes and nonentries of there owin landes, togither with the mariags when they fall, disponed to them upone the foirsaid conditiounes, and sall be prefered to all uthers thereanent, unless your Majesties speciall warrant be to the contrarie. And if ather upone your Majesteis warrant or refusall of the heires and owners of the said landes to deale on those termes, any of

thair wairds, mariags or nonentries sall be disponed to other persones, sufficient securitie sall be fund by those persones to preserve the houses, parkes and yairdes perteining to those heires and awners from all prejudice according to the lawes of that kingdome dureing the tyme of the wairde or nonentrie which sall be to runne and contayned in the grants thereof maid to those persones.

7. That if by transactioun with the pairties or uthervyse, your Majestie sall reduce any waird, landes and mariags of heires which now ar haldin in taxed warde to be hauldin warde and releif of your Majestie efter the ordinarie forme of untaxed ward lands and mariags, efter any of them sall be so reduced, if they fall to be in warde dureing the tyme of the said lease, the takismen sall onlie have and exact for there due of those wards and mariags dureing the tyme of the said lease suche duties as they ar now taxed unto, and what more your Majestie sall be pleased to allowe in favours of the takismen, and what further pairt of your Majesties due more then the said taxed duties your Majestie and your said officers for the tyme being sall think fitt and ordaine to be taken for the compositiounes thairof, sall accrease and pertein to your Majestie and be counted for accordinglie in your Exchequer yearly by the takismen.

8. If any sall object against this course of farmeing the said wairds, mariags and nonentries, alledging your Majestie to be prejudiced by quyting the thrid of your due of ech ward and the half of your due of ech nonentrie, and by restraining your due of ech mariage to one years revenew of the inheritances of the heires, this offer to dowble your benifite doeth ansuer it, and the quyting and restraint is rather in prejudice of takismen then your Majestie. Nevirtheles it sall be in your Majesties and your said officers optioun dureing the tym of the lease to have what further parte yow please of your due more nor the particular rates abonespecefeit exacted for those casualities, in which case, whereas now at the particular rates abonespecefeit your benifites offered heirby to be dowbled, if your Majestie and your said officers sall think fitt and ordain a greater part to be taken for ony of those casualties then the particular rates abonewrittin, your benefite sall be augmentit and maid count of yearlie in your Exchequer accordinglie.

9. If any sall object aganis this course of bringing the said casualities to a constant revenew as being derogatorie to your Majesties power ower the heires of ward landes, it is answered. This doeth noway diminich it, seing it is alwayes in your Majesties optioun ether to shaw favour by permiting thair wardes mariages and nonentries to be componed at the particular rates abovespecefeit, or uthervyse to have what further pairt of your due yow please to be exacted and maid count of in your Exchequer. Nether sall any heires of any waird landes have thair wairds or mariags disponed unto them where your Majestie sall give any speciall warrant to the contrarie, but they sall be disponed to such persones as your Majestie by your

warrant sall appointe, the takismen geting alwayes thair dues abovespecefeit for the compositiounes thairof. And further, if your Majestie sall think fitt and ordaine so to be, no ward or mariage sall be disponed till your Majestie be advertised, that yow may signifie your pleasure thairanent; or if your Majestie sall not think it expedient to restrain the passing of all wardes and mariags till yow be advertised, but onlie of nobilmen and barrones haveing at least five hundreth pundis sterling money of yearly revenew of inheritance or any uther certaine proportioun of revenew which your Majestie sall be pleased to express, it sall be performed accordinglie.

10. If any sall object against this course or alledge it to be a restraining of your Majesteis bountie from revairding your servants or other weill deserveing subjectis with the benefite of these casualities, it is ansuered your gracious bountie is nather heirby limited or restrayned, but a meanes rather offered whereby your Majestie may more liberally gratefie such as yow please in such maner as your Majestie may certainlie know what yow give and the receavers acknowledge it.

11. If in any Parliament to be haldin in that kingdome within the tyme of any lease to be granted heirupone your Majestie, with the advyse and consent of your Estaits thairof, sall think fitt and decree for the good of your Majestie and your successors to change all the waird tennor of that kingdome into heritabill taxed wairde or few haldinges, this course sall noway hinder or prejudice it, and till such course be takin (if any sall be at all) by this the benefite which your Majestie and your said royall father have gottin for those casualities, these said preceiding yeires, sall be largelie encreased these ensuing yeires, and maid a constant yeirlie revenew; whereas formerlie it was uncertane, and that without derogatioun to your power ower the heires of waird landes.

12. If any sall object against this course of setting doun a certaine rate for the compositiounes of those casualities as prejudiciall to your Majesteis Treasurer and uthers officers of Exchequer, it is ansuered, As certane rates ar alreddie set doun and appointed to be payed to the keipers of your Majesties seales for ech grant of those casualities which sall pas, your Majestie may lykvise (if yow think fitt) without ony inconveniencie or wronge to your said Treasurer and officers of Exchequer, appoint a certaine raite to be taken for them then the particular rates above expressed, and consequentlie your benefite further incresed (if yow think good). Nether doeth this course ony way prejudice your said officers in any fee or benefite which your Majestie formerlie hath or sall heirefter be pleased to allowe or grant them. Nether is thair any dignitie or preceedencie belonging to thair said places heirby diminiched. And the yearly duties heirby offered to your Majestie for those casualties sall be yeirly payed and made count of in your Exchequer and delyvered to your officers thairof and the receavers of your rentis, and soe thair is no seene or appearing prejudice or wrong

to them by this course. But if any sall be doubted or objected it sall be ansuered and satisfied according to reason, and this offer still maid good to your Majestie; and thairfoir the propounder heirof humblie entreateth (if your Majestie think fitt) that efter your Majestie hath considdered of this owerture, if yow lyk of it, it may be sent to be lykvyse seen and considdered by them, and thair opinions thereanent retorned to your Majestie.

These ar the articles recommended by his Majestie unto his Exchequer in Scotland, 26 of March, 1628. *Signed*, W. Alexander. *Contemporary copy.*

The Earl of Mar to King Charles the First.

1628, July 18. Holyroodhouse.—May itt pleis your Majestie, having upon the 14 of this instantt receved your graciouss letter declaring your intention to be heir in this your Majesties ancientt kingdom very shortly, altho I am assured thar could cum no mor acceptable neus to all your good subjectts, yitt thay could nott be mor vyllcum to any than to your Majestis auld leam servantt, quha is almost outt of all houpe ever to see you, my deir master, except be this or the lyk occasion. In any thing thatt shall by vithin the compas of my pouar or creditt I humblie beseich your Majestie to be assured thaer shalbe no inlaek in me. Yitt being bound in deutie to vrytt the treuth unto your sacrett Majestie the things I most feir ar tuo, the on lak of munie, the other lak of tym, the last being a thing nott in the pouar of man except itt pleis your Majesties self to prolong your cuming. For munie thaer is non in your coffers; your houssis ar in so evill caes as I feir, ye, nott only I bott the Master of Work and all your best and most skillfull servantts heir thinks itt onpossible that agaenst the tym prefixtt in your Majesties letters thay can be reddie to receive you according to that majestie that doth becom you, or the creditt that doth belong to this your pour bott ancientt kingdom. This berar, your Majesties particular servantt, cane relatt unto you the estett of the office of tresuarie and quhou that this long tym bygon I have ever bein declaring that your housis ar in disrepair, and yitt vas forced to obey your Majestis other liberall grantts. He can also shau your Majestie quhou lytill houp thaer is that things in so short tym can be doune withoutt graett shaem to this cuntrie. Quhaerof I doutt nott bott your Majestie vilbe sensibill. For my self disposs of me and all I can doe as shall seim best in your Majesties aun eis. Thus in all humilitie craving pardon for my bauldness and preying God to send your Majestie a long and happie reing, I rest, your Majestis most humble servantt, J. Mar.

The Tresurar-deputie is presently thaer. Itt is knaun to the varld my nott only age bott graatt infirmittie. At sic grett tyms as this is he should eis me of sum paens. I humblie beseik your Majestie to command him to cum hom vith speid.

(On the back it is stated that the letter is sent with Mr. David Fullarton).

THE PRIVY COUNCIL OF SCOTLAND to the EARL OF MAR.

1628, August 8. Holyroodhouse.—After our verie hairtlie commendationes to your goode Lordship. Whereas wee haif subscryvit the patent grantit be his Majestie to the Earle of Linlithqw for making of powder upoun suche cautionrie and provisionis as the Counsaill after goode advyse thoght fitting to sett doun, we haif thoght goode to certifie your Lordship of the same to the intent your Lordship may lykewayes subscryve the signatour that no longer delay nor stop may be maid for passing of the same through the seales. And so committing your Lordship to the protectioun of the Almightie, wee rest, your Lordships verie assured goode freindis, SANCT ANDREWS, MONTEITH, HADINTON, HAMILTON, S. THOMAS HOP, SCOTTISTARVETT.

THE EARL OF MAR to KING CHARLES THE FIRST.

1628, October 15. Alloa.—Most gracious sovereing, Being certified be a letter from my cousing, the Erlle of Kellie, of your Majesteis gracious favor towards me in being pleased nott to give vay to the onjust demands of any particular parteis tili furst ye should heir my ansuers, I could nott oversie my duetie so far as nott in all humilitie to give your Majestie most humble thanks for your just resolution. In my Lord of Kelleis letter to me he vrytts that your Majestie hes commanded a letter to be sentt unto me from your Majesteis aun hand, signiefieing thaer desyrs tuiching your Majesteis Advocatt and vithall to knau my ansuer and quhat I vald say quhy itt should nott be. This letter I have nott sein nor is nott cummed in to my hands, only I have receved a letter from Mr. Galluay, Master of the Requests, quhilk I confess unto your Majestie to my judgementt is of aene odd and oncouth straen. Bot lest my onfriends should pres to tak advantage and think that I am neclective of your Majesteis commandmentt I have directed this berar, my eldest soon, to mak ansuer to any thing can be sayd in my contrar, quhom in all humilitie I beseik your Majestie to credeitt, assuring allways my self that your Majestie vill nott suffer me to gett vrong, nor that in makkin your Majestie my partie in a Parliament any novelties should be begun upon me your auld leam servantt, quhas gretest ambision is as I have livedd so to die, your Majesteis most humble subject and servantt, J. MAR.

(On the back it is stated thait this letter is sent by his son John).

1628, November 10. Whitehall.—King Charles the First to the Viscount of Duplin, Chancellor, the Earl of Menteith, President, and remanent members of the Privy Council. To cause the fines imposed at the Circuit courts to be collected by the Treasurer and his deputes and brought into Exchecker, and that out of the first brought in there be payment made of the sum granted by the King to the Lord of Lorne for surrendring his office of Justiciary. Further, the clerks of Court are to give extracts containing the names and offences of the persons fined and the amount of their fines.

KING CHARLES THE FIRST to the COMMISSIONERS FOR SURRENDERS.

1628, November 15. Whitehall,—Haveing considered of the course that yow have taken for the more speedy valuatioun of the heritours estates and that the true tithes may be known by appointing the presbyteries throughout all the kingdome to make choice out of everie one of them of such a nomber of persones fitt for that purpose as yow have condiscended upoun, wee like verie well of the same. And to the effect that no delay may be occasioned by appellatiounes from them to the great Commission, but that their report may have trust, oure pleasure is that yow give unto suche as shall be chosen commissionares full and absolute power for proceeding to make the valuatiouns of the constant rent of the said heritours estates, after the maner of tryall that hath bene heretofore by yow agreed upoun at your last meeting, admitting them and giving them charge to prosecute the service enjoyned unto them with due consideratioun, and with such indifferency that no person in soe farre as in them lyeth may have just cause to complaine; and if anie person after they have determined therein shall complaine, wee are well pleased (if a Parliament shall finde by goode evidences that anie partie is wronged either by any mistakeing of the sayd commissionares or by any partiality in them) to appoint a commission to be chosen by the Parliament with power to them to determine in these particular complaints as they shall finde the cause in equity to require. And this wee command to be done if yow doe not advertise us of a better way for the expediting of this great buisienesse before the 20 day of December next ensueing. So expecting a speedie answeir of this oure letter wee bid yow farewell. *Contemporary copy.*

1628, December 2. Whitehall.—King Charles the First to Sir John Hamilton, Clerk of Register. He had instructed him to receive any petition the vassals of Marr and Gareoch gave in against the Earl of Mar in the next Parliament; but as he has given order to the said Earl and Lord Erskine, his son, to secure him in anything concerning his interest in the case, and is unwilling to show himself a party with any of his subjects, he requires him likewise to receive any defences given in by the said Earl and his son.

1628.—Papers entitled "The danger wherein the kingdome now standeth, and the remedy," written by Sir Robert Cottoune and sent to the Earl of Mar.

1629, March 14. Whitehall.—King Charles the First to the Viscount of Duplin, Chancellor, the Earl of Mar, Treasurer, the Lord Naper, Treasurer-depute, and remanent Lords of Exchecker. Several notorious malefactors in rebellion for murders and other crimes haunt the bounds within which he has granted a commission of justiciary to the Earl of Murray, who may possibly upon suggested pretences apply to them for remissions. These he forbids them to grant without first communicating with the Earl of Murray, and obtaining true information as to the life and conversation of the applicants.

GEORGE, VISCOUNT DUPPLIN, to the EARL OF MAR.

1629, September 28. Perth.—My most honorabill and most noble goode Lord, After my cumming to Edinburgh, [not] finding the rols, accounts, suspensiones, inventaires and uther papers concerning the taxation, without whiche hardlie can I or my under officeares collect what is yet not brought in, nor understand the estait of the extraordinar taxation, without great paines and charges, I sent for James Primrose, whom I fand willing, as lykewayes his brother son at the first to bring all the papers to me. But when I had sent tuo dayes efter for the youth he told me that since my asking for them my Lady Marre had receaved thame in a chest from his mother. Upon this I went to my Ladye, who shew me that she wold not delywer them till she receaved advertisement from your Lordship, whiche she hoped to have within sum four or five dayes. The first Counsell day thairefter ordre wes given that sum of the Counsell left in Edinburgh for that purposs micht sie the papers sorted whiche wer in James Primros and the widowes hands, and suld desyre my Lady to let the chest be sighted. But my Ladye being onwilling, and the uther papers shewen to them by others being of small use, nothing wes done. Now I have raised letters upon my gift to charge the havears for delyverie to me of thes papers, but I will forbeare to have hir name hard; hoping that befoir this your Lordship hath sent hir worde what she shall do, and that I shall heare from hir at hir returne from the north. As lykewayes if anye man thair with sinistrous information wolde preasse his sacred Majestie to put ane effront upon me by making another clerk then I mak according to the power given to me under his great and privie seales, or attempt as Nithisdale and Naper did the last yeare by suggesting fals and ill grounded reasons to rob me of the hope of collecting off the taxatione when any shalbe for supporte of my place and estait, I assure my self your Lordship will oppose and stryve, if occasion be presented, to confirme his Majestie in his resolutioun for me, as your Lordship wes pleased onrequyred the last yeare to assure me by my Lord Erskine. And so I shall ever deserve with the best services can be performed by, your Lordships humble and affectionate servant, DUPLINE.

Addressed:—To the right honorabill my verie nobil good Lord the Earl of Marre, Lord Highe Tresaurer of Scotland, and one of his sacred Majesties most honorabill Privie Counsell in both kingdomes.

KING CHARLES THE FIRST to [the LORDS OF SESSION.]

1629, November 26. Whitehall.—Right trustie, etc., Whereas we ar crediblie informit that the Larde off Lie hathe led of sum landis the tithes belonging to our richt trustie and weilbelowed cusing and counsallour the Erll of Marr, our Tressorare, and whiche these diverse yeiris haif bene led bye him, wherein we do excedinglie dislyke off the wtheris proceding, seing bye our decree we haif appointtit the titularis to keip thair tithes as formerlie thai did enjoye thame till thei wer first satisfeit for

the same according to the said decree; thairfore our plesour is that with all convenient diligence yow administer justice wnto the said Erll in ony actioun of his or of ony wther our subjectis in the lyke caise whiche sall cum before yow tuitcheing this or the lyke purpose according to the lawes of that our kingdome prowided in these cases. So we bid yow fareweill. *Contemporary copy.*

King Charles the First to the Earl of Mar.

1629, December 8. Whitehall.—Charles R.—Right trustie and right welbeloved cousin and counsellour, wee greete you well. Whereas for provyding a peale of bells for the church of Halyroodhouse fitt to be hung there against our coming to that our kingdome, wee have given direction to Sir Henrie Bruce, maister of our Artelerie, to delyver unto Mr. James Hannay, minister of that church, these two broken canons in our Castele of Edinburgh; our pleasure is that no lett nor hinderance be made herein by you, but that they be forewith delyvered unto the said Mr. James for the use aforsaid, and if neede be wee are willing that you be further secured by Act of Counsell. For which these presents shalbe unto you a sufficient warrant. Given at Whythall the eight of December, 1629.

Addressed:—To our right trustie and right welbeloved cousin and counsellour the Earle of Marr, our cheefe Tresorer in our kingdome of Scotland.

1630, March 9. Edinburgh.—Extract under the hand of the Clerk of the Court of High Commission of a judicial confession made by Mr. Joseph Lowrie, minister, who is charged at the instance of Mr. Patrick Forrest, procurator fiscal of court, with "misbehaviour and unreverend speeches dispersit be him againes the Erle of Mar." The said Mr. Joseph, being personally present, humbly confesses his fault, that both in word and behaviour he has given cause of offence to his Lordship, and refers himself to his Lordship as to his censure, desiring, meanwhile, that some of the Lords of High Commission would intercede with the Earl for him, and testify his most willing obedience in all respects.

1630, March 11. Whitehall.—King Charles the First to the Earl of Mar, Treasurer. To send Sir James Baillie of Lochend to Court in connection with the necessary preparations for his Majesty's visit to Scotland, and pay him the sum requisite for his expenses.

1630, March 16. Whitehall.—King Charles the First to the Earl of Mar, chief Treasurer of Scotland. Dr. John Young, Dean of Winchester, being employed by the late King James in some service in Scotland, has some money due unto him, the payment of which is like to be disappointed by the death of Archibald Primrose, late Clerk of the Taxations, who has taken allowance for it. The King therefore requires that no gift of the escheat of the said Archibald's goods be passed unless his said servant be first paid of what is due to him.

King Charles the First to the Earl of Mar.

1630, March 20.—Charles R.—Right trusty and welbeloved cousin and counsellour, wee greete yow well. Though wee have ever beene confident of your affection to our service and of the continuance of your endeavours in the place wherein yow serve, yet haveing seene by your letter unto us that in reguard of your present infirmity yow are willing, if wee be pleased therewith, to demitt the office of Treasurer in favor of our right trusty and welbeloved cousin and counsellour, the Earle of Morton; wee approve of your resolution therein, and upoun your demission shall presently graunt the sayd place unto him; not doubting but as yow wrote unto us yow will still be carefull to attend oure service as one whom wee specially respect. And soe wee bid yow farewell. From oure Court at Whythall the twentie day of Marche, 1630.

Addressed:—To our right trustie and right welbeloved cousin and counsellour the Earle of Marr, High Treasurer of that our kingdome of Scotland.

The Marquis of Huntly to the Earl of Mar.

1630, May 31. Melgum.—My verray honorable good Lord and loving brother, I cam this far agetuart to have kepit my prefixit day with your Lordship, bot am forsit be diseis that I can not go forder for the present, as this berar, my cousing, will schaw your Lordship. Bot remembering our auld freindships and kyndnes and allyens, I think fekles particulars suld not cast us sindrie, seing that we ar both cum to that aige that we suld think more of the lyfe to cum nor the schort tyme that nature hes to give us heir. Sua think not, brother, bot I will ever be willing to do you mor than reson or we suld be hard, not duiting bot your Lordship will meit me with the lyk affectioun. The particulars I will remit to this berars credit. So my loving deutie rememberit to your Lordship and to my sister, your Lordships bedfellow, I will ever rest, your Lordships most loving brother to serve yow, Huntlye.

Addressed:—To my verray honorabill guid Lord and loving brother, the Erlle of Mar.

King Charles the First to the Earl of Mar.

1630, July 3. Whitehall.—Charles R.—Right trusty and welbelovid cousin and counsellour, wee greete yow well. As your affection and endeavours to do good service have reaped the due respect from our late deare father and of late from us, wee are now verrie confident that yow will omitt no meanes whereby yow may be serviceable unto us. And therfor these are to recommend unto yow that yow have a speciall care for furthering these thinges that are to be proponed for the good of our service at this Convention of our Estates, whereof yow shall be informed by our trustie and welbeloved counsellour, Sir William Alexander,

our Secretarie. And as yow carrie your self in this yow may exspect respect from us accordinglie. Soe wee bid yow fairewell. From our Court at Whythall the thrid day of July, 1630.

Addressed:—To our right trustie and welbeloved cousin and counsellour the Earle of Mar.

The Earl of Mar to King Charles the First.

1630, September 29.—Most gracious Sovereing, Your Majestie vas pleased by your letter of the fyftt of July to doo me the honor to command me to have a caer to looke in tym unto theis things that concerne my charge for your Majesteis houses, and provision and preparing all things necessarie for performing your Majesteis corronation and Parliamentt, quhilk I accompted to be to me aene exceeding greatt happiness both that I micht befor I died atteine to the gretest of my vissed joys in this varld to see your gracious face, and by my endevors in the obediens of your commandments in a mater of so grett and raire importance give a testimonie of my endless zealle to doo your Majestie most humble and faithfull service. In prosecution quhaerof I have caused by all necessars for reparation of your housses, and putt so many artificers to vork as I may be ansuerable that the reparations shalbe tymlie and sufficientt; and for provisions to be had in this cuntrie have given sic ordor that non shalbe vanting in deu tym. And quhaeras I vas advyseing vith your Counsall for provisions of vyns, bankatine stuff and other necessareis to be imported from Ingland, and to send this berare, Jaems Ballyie, yoar Majesteis auld servantt, and most fitt and onderstanding man, thither for that purposs, the Lord Naper upon the 24 of this moneth, thocht itt mor fitt to send to me from his houss your Majesteis letter of the xxviij of August, nor to meitt and confer vith me anentt your Majesteis directions; quhilk I thocht the less strange becauss during the vhole tym of his being in Ingland he never imparted to me by letter nor message any passage of thing proponed or resollved thaer in maters concerning that charge quhaerin your Majestie joyned him vith me in the managing of your rents till be your Majesteis letter I did sie that he had procured to him self thatt imploymentt for preparation of necessars for your most vished jornay quhaerwith your Majestie had formarlie honored me, and quhaerin I had bestoued my best caer, travell and charges, only leving to me place to joyne vith him in his ondertaking; by quhilk his indirectt and respectless deling I foresie that I can nott probablie expectt any sic concurranss from him as may conduce to the progres of that most importantt bussines. I thaerfor humblie beg giff itt so may please your most gracious Majestie that I may be permitted to proceid in the soll charge quhaerin I doutt nott by my travells, freinds and creditt, vith God's grace to give your Majestie contentmentt. And since I heir that sum hes construed my subscryving aine ansuer from the Counsall to your Majesteis letter ordering the Officers of Estate to furniss the charges of your jornay to a

refusall upon my partt to ondergo the burding, the wholl number then presentt vill beir me vitnes that I, as officeare of receptt, offered villinglie to ondertak quhat your Majestie had injoyned or vald command. Preceeding and subsequentt actions doo confirme, as this berare can more particularlie declare unto your Majestie, and as the wholle course of quhat rests of my lyf shall manifest that my greatest ambition and contentmentt shalbe to approve myself by my actions that I am, your Majesteis most humble subject and servand. *Copy.*

King Charles the First to John, Lord Erskine.

1630, October 12. Hampton Court.—Charles R.—Right trusty and welbeloved counsellour, wee greete yow well. Though to prosecute that course which upon good considerasiouns was intended and declared by us at our last placeing yow upon the Session, wee have removed yow from that judicatorie for a tyme, wee ar so farr from doing it out of any dislike of your cariage therein, or in any other thing concerning our service, that these are to give yow most hearty thanks for the same, assuring yow that wee shall nott be unmindfull thereof whensoever any convenient occasion is offered whereby wee may expresse our respect unto yow. We bid yow farewell. From our honour of Hampton Court, the 12 of October, 1630.

Addressed:—To our right trustie and welbeloved counsellour, the Lord Erskein.

1630, December 15. St. Andrews.—Decreet of the Court of High Commission held at S^{t} Androis, there being present John, archbishop of S^{t} Androis; Alexander, bishop of Dunkeld; David, bishop of Brechin; Sir John Scott of Scottistarvett, knight, Director of Chancery; Dr. George Martine, rector of the University of S^{t} Andrews, and provost of S^{t} Salvator's College; Dr. John Douglas, parson of Crail; Dr. Robert Howie, principal of the New College of S^{t} Andrews; Mr. George Wischart, one of the parish ministers of S^{t} Andrews, and Sir John Spottiswoode of Dairsie, knight.—In the action by John Low, procurator fiscal of the High Commission, against Mr. Joseph Lowrie, late minister of the Kirk of Stirling, who by sentence of the said High Commission at Edinburgh on 16th March, 1630, was permitted to enjoy the living and stipend of the said kirk according to his presentation until the same was planted with a competent minister, it is now found that this permission, with the continued residence of the said Mr. Joseph Lowrie among that people, effectually hinders the planting of the said kirk, as they are no way disposed to seek another minister so long as there is any hope of his being reponed, which for many considerations cannot be yielded unto. Wherefore the said High Commission discharges the foresaid sentence and decreet, declares the kirk of Stirling vacant, and ordains the said Mr. Joseph Lowrie, who does not compear, to remove from the town of Stirling to Glasgow before 15th January next, and remain confined there until Stirling be provided with a minister, and further during the pleasure of the Commission.

KING CHARLES THE FIRST to the LORDS OF EXCHEQUER.

1630. To the Exchekker.—Rycht trustie, etc., We greit yow weill. Haweing considderrit the charges requisite for repaireinge of our castles and palaces, interteininge our house and many uther great and necessarie chairges dureinge the tyme of our abode in that kingdome to ressave our crown and hold a Parliament, the wich of necessitie doethe requyre present moneyis, and in regaird of our great effairis we can not conveniently affoord them att this present, and that we intend to tak suche a course for levyeinge of them that nane of our subjectis can have cause to complean nor yet to suspect our royall intention in seinge them att the tyme appointit by ws dewly repayed, we have bein pleased to move the Erle of Mar, our Thesaurer, to borrow those moneyis att this tyme for our said use. And to the effect that he nor na utheris who are or shalbe bound with him suld onywayss suffer for ther affectioun to our service, or be in daunger of not being payed of what they have or shall undergo for the samyn, we are heirby willeinge to graunt unto them any assurance that they can ressonably demand, or that we can lawfully graunt for their releiff. Owr pleasure is that ther be grauntit unto him and them any securitie he shall requyre upon our rentis, casualityes and taxatiounis present or to cum, in generall or by particular assigmentis by actis of Counsell and Exchekker as he shall devyss for his and his forsaidis securitie, and that all impedimentis that can aryss in thair uptakeinge the saidis assigmentis, whairby he or they may be henderrit friely to intromett with the same, be removed by yow till they be satisfyed of all moneyis debursit be them for this purpose with the ordinarie interest for the same dureinge the tyme of the forbeareance thairof. *Copy.*

EIGHT LETTERS from ELIZABETH, QUEEN OF BOHEMIA, to the EARL OF MAR, all Holograph. [1623-1635.]

1. My Lord, the thanks you give me for your sonne doth not deserve so manie thankes. I woulde I had anie meanes to shew you how much I think myself beholding to you for your love. I assure you I woulde give you other testimonie of it than bare complement; bot now, having no other meanes, I pray lett these lines give you true assurance of my love. I am sure that it is no small contentment to heere of my deare brothers safe arrival in England. I hope one day God will open by my deare brothers meanes the King's eys to see the Spaniards villanie. In the meane time I shall still think uppon your good prayers which I hope God will one day heere, howsoever you may be assured that I am ever,

Your most affectionat frend,

ELIZABETH.

The Hagh, this 4* of October, St. n., [1623].

Addressed:—To the Lord of Marre.

* The date is clearly 4th, but may be intended for 24th.

2. My Lord, I cannot lett your worthie soune goe from hence without renewing unto you the assurance of my love. Your soune will lett you know all that passeth heere. Everie thing for us in England is worse and worse. I hope one day it will mende. My request unto you is still to continue your love to me, and to be assured that I will never be other then,

Your most affectionat frend,

ELIZABETH.

I pray lett my ladie, your wife, receive heere the assurance of my true love.

The Hagh, this $\frac{12}{2}$ of June [1625].

Addressed: To the Lord of Marre.

3. My Lord, Your letters which your soune shoulde have brought came after he was gone. I was sorie I had not the meanes to show to him how much I both love you and him, who I assure you hath left a verie good reputation behind him in his cariage heere. If there be anie thing whereby I may doe your soune, Mr. Eskine that is still heere, anie kindness, I pray lett me know, and I will doe for him what I can. I am so much obliged to you for your love as I cannot enough acknowledge it, but I assure that in all I can I will ever give you true testimonie that I am ever constantlie,

Your most affectionat frend,

ELIZABETH.

From the Hagh, this 1 of August, St. n., [1625].

Addressed:—To the Lord of Marre.

4. My Lord, I have receaved your letter you writt to me out of England, which I give you manie thanks for. I see Sir Henry Vane is verie just in performing his commissions I gave him. I woulde I coulde anie way shew you how much I ame your frend, in which I will yeelde to no bodie. I ame sorie I cannot doe more to your worthie soune that is heere, then I doe, but if ever there be occasion I will be ready to doe him all the kindness I can, for I assure you he desarves it. I trust the King, my deare brother, will not deceave the good expectation you have of him. He doth continue to give me all testimonies of his love, so as he is the best brother in the worlde. I hope in God all will one day be well again as your good wishes woulde have it, howsoever no fortune shall ever change me from being constantlie,

Your most affectionat frend,

ELIZABETH.

I pray my Lord commend my most affectionat love to your worthie wife.

The Hagh, this $\frac{20}{10}$ of September, [1625].

Addressed:—To the Earle of Mar.

5. My Lord, I cannot lett your worthie soune returne to you without these lines, to continue you the assurance of my affection. He will acquaint you with a business that neerlie concernes him, which is an affection he hath taken to a gentlewoman that serves me, whom he desires, with your consent, to make his wife. He hath not made anie acquainted with it because you shoulde knowe it first. I came to the knowledge of it by chaunce, for seing him much with her I did suspect it, and asking him the question he confest to me his love, but would not tell anie of it till he had your consent, for the gentlewoman, Crofts, I can assure you, she is an honest descreet woman, and doth carie herself verie well. If I had not this good opinion of her, I shoulde not intreat you, as I doe by these, that you will give him your consent to marrie her. I love you and him too well to speak in this subject, if I did not find her as I tell you; and I hope you will the rather doe it for my sake, to whom she is a faithfull servant. Your soune hath caried himself so well heere as I dout not but he will come to great preferment in these warres. For me, I will ever seek all occasions to doe him good or anie other that belongs to you, whome I doe so much esteeme, as intreat you to be confident that nothing shall change me from being constantlie,

Your most affectionat frend,

ELIZABETH.

The Hagh, this 10 of November.

Addressed:—To the Earl of Marre. [In another hand] 3 November, 1625, annent Alexander. [In yet another hand] The gentleman meand in this letter is Mr. Alexander Erskine, the Earl of Mar's third son of his second marriage. The Queen also wrote on the same subject to Lady Mary Stewart, Countess of Mar.*

6. My Lord, I cannot lett your soune returne without these few lines, to thank you for yours I receaved not long agone, and to desire you to be confident that I ame still constant in the professions I have ever made to you of frendship, which nothing shall alter. Your worthie soune can tell you how all things are on this side the sea. I know you will not be glade to heare it, but I hope one day our frends will have better fortune, for the King of Dennemarc is in a evill estate. For me, I assure you that no evill fortune can ever make me other then,

Your most affectionat frend,

ELIZABETH.

The Hagh, this 28 of November, St. n., [c. 1626].

Addressed:—To the Lord of Marr.

* This letter is in similar terms to the above and is dated 30th November. It is printed in full in the Report on the MSS. of the Honble. Mrs. Erskine-Murray of Aberdona, Fourth Report, Appendix, *p.* 527.

7. My Lord, Having latelie received a letter from you, I must give you thankes for it and for the continuance of your affection to me, which I assure you shall never be forgotten; for I may be confident that you have not a frend wisheth you and yours better than I doe. I ame sure you heere how our affaires doe beginne to be in better state then heeretofore by the prosperitie of the King of Sweden, who is very affectionat to us, so as if the King, my deare brother, will but now help us, we may by the help of God recover our former estate. Howsoever, I assure you, the King is not resolved to stay heere and doe nothing, but will goe alone to the King of Sweden if he may not have other company fitt for him. I ame so confident of your affection as I dout not but you will farther our business, if it come into your power, so I pray be also assured that I ame ever constantlie,

Your most affectionat frend,

ELIZABETH.

The Hagh, this 22 of November.
Addressed:—To the Lord of Marr.
Also on back:—22 November, 1631.

8. My Lord, Your letter was most welcome to me, which I give you manie thankes for and for the continuance of your affection, which I doe verie much esteeme, being bounde to it by so manie obligations I had to your worthie father and to your self for the love you always shewed me when I was in England. Therefore, I pray, be confident that I continue so to you, and in all occasions I shall give you true testimonie that I will never be other then,

Your most affectionat frend.

ELIZABETH.

My Lord, I pray tell your brother Bughan that he is growen lasie, having not heard this long time from him.
The Hagh, this . . . . [probably in 1635].
Addressed:—To the Lord of Mar.

1631. A breiffe estimat of the Kings casualities in Scotland, what they mycht amount unto *per annum* if they wer dewlie collected and compted for in Exchekquer, as they ought to be, by the lawes and statutes of the realme.

For the wardes, releives, mariages and nonentries of haires thair wes offered to his Majestie by Sir Alexander Strauquhen, knycht and borronnett, to be payed declaired free of charges *per annum*..... 05,000 lib.

Recognicionis be verrie frequent, and dyvers of tham hath bein lost to his Majestie since his Heighnes cumming to the Croune by granting new infeftments of the lands which have bin procured from his Majestie *suppressœ causæ veritate.* And seing lands falling in recognitioun, the propertie and tennendrie thairof doth belong unto the King for ever as being cons(ol)idat with the supperioritie, thairfore they may shortlie be worth *per annum*..... 03,000 lib.

Bastardies and last haires most neids be frequent in respect thair be infinite nombers of bastards borne within the kingdome everie yeire, as may appeare by the Church rolls theise many yeires past, and some of tham have deceased worth 3,000 lib. in lands and goods, sum more and sum lesse, and thairfore if they sall be onlie nombered to 10 in the yeir, worth 100 lib. a peice, they will yeeld 1,000 lib. *per annum*, bot if they sall not be disponed, bot brocht in for the Kingis use, as they ought to be, they will be worth mutch more, in respect theis lands and goods do remaine with the King as propertie for ever, and the nomber of tham doeth still encrease ..... 01,000 lib.

Forefitoures of lands and goods, and escheits of goods and of chattells and of lyfrentes of lands be verrie many, for thair be a great many more malefactours and rebells within the kingdome, royaltie and principalitie thereof, then the King hath free tennents thairin, as may appear by the registres of horneings in all schreiffs books and otheres, and by the Justeice Clerks registres and by the rolls of excommunicats, which registeres and rolls, if they wer at this tyme searched, will showe above 1,000 rebells standing unrelaxed, whoes escheitts or leiverents ar nather brocht in to the Kings use nor laufullie disponed for compositiouns. And thairfor if they sall onlie be valued at 50 lib. a piece, will yeeld 50,000 lib. of present money; and if theise forfeitures, escheits and leiverents sall be yearlie uplifted and brocht in to the Thesawrer, as they ought to be by the statutes, and not unlawfullie disponed and undervalued as they ar, being reckoned to 200, by the yeare at 50 a piece (as they may weill be reckoned to more) in respect that the leiverent of lands is of tyms of longer contenouence than ather warde or nonentrie, and the forfitures turne perpetuall in propertie, and also the whole goods and chattelles doe fall under escheit, which they doe not in wardes; thairfore the said forfeitures and escheits may yeeld *per annum* ..... 10,000 lib.

Contraventioun of the Generall Bond and of lauborroues (sieing the persone denunced for not finding lauborroues ought to pay the fyne alse weill as the contraveiner) may be prysed for the Kings halff thairof *per annum* to ..... 00,500 lib.

Unlaues, iseues and amerciaments of courtes of Parliament, of Generall Councells, of Exchecquer, of schreiffe courtes (wherof thair be three head courts in the year), of justeice aires (which be tuo yearlie), of Justeice courtes at particullar dyetts, of Quarter Sessiouns (which sould be four in the yeare), of courts of Admiralitie, of courtes of commissioun, and Chalmerlane aires may be estimat *in cumulo*, one with ane other, to..... 01,000 lib.

The escheits and iseus which sould be brocht in be the Conservitour and be the customeres and schercheres of unlawfull and forbidden goods, if they wer weill bookt as they sould be, wold yeild for the Kings pairt thairof of every yeare...03,000 lib.

The profeits of his Majesties Mynthousse (if the statutes tuitching money and bullioun wer deulie executed) wold yeeld everie yeare to the King without faill above ..... 01,500 lib.

The fynes of penall statutes (thocht a great pairt thairof for bygones wer remitted in August, 1630), yet if they wer dewlie called for and brocht in for tyme cuming, after the rate mentioned in the Statute, Jac. 6, Parliam. 15, Cap. 267, wold yeeld for the Kings pairt thairof *per annum*..... 02,000 lib.

The compocitiounis for passing in the Exchecquer of licenses, remissiouns, respectts, presentatiouns to benefices, to bastards and thair childrens lands haldin of uther supperioures, and to the lands of subvassells being forfeated infeufemente, rehabilitaciones, legittimaciones, pensiouns, offices, dignities, commissiouns and other signatours (if they sall be maid and valued conforme to the Statute, Jac. 6, Parliam. 11, Cap. 7) will amount yearlie to ..... 03,000 lib.

And so (besydes that throughe the dew executioun of the lawes the contrie wold flurish in justeice and peace to the great glorie of God and honour of his sacred Majestie, and prosperitie of all his good and loyall subjectes) the Kings casualities may yeeld everie yeair ..... 30,000 lib.

And his Majestie may have a present moneye ... 50,000 lib.

1631, March 30. Canongate and Holyroodhouse.—Articles agreed upon between George, Viscount of Dupline, Lord High Chancellor of Scotland, and John, Earl of Mar, Collector of the Taxation granted to King James the Sixth in 1621 and as assignee of the deceased Archibald Prymrois to the half of the concealed annual rents of the said taxation, whereby the Earl makes over his rights theirin to the said Viscount, who obliges himself to pay in to his Majesty's officers and receivers whatever he is able to recover of these concealed moneys either by agreement with the parties or process at law, the necessary expenses being first deducted. And with regard to the other half of these concealed moneys which shall be recovered, which half is allowed to the informers, the Chancellor obliges himself to pay one third thereof to James Primrose, Clerk of the Privy Council, another third to the said Earl of Mar, and to retain the remaining third for compensating the pains and charges sustained by himself and his servants in the business. *Signed by* Duplin, Mar, John Erskyn, *witness*, and Alexander Omay, servitor to George Hay of Kirkland, *witness*.

Indictment of James, Lord Ochiltree.

1631, June.—James, Lord Ochiltrie, yow ar indytit and accused—Forsamekle as be dyverse actis and constitutiounes of Parliament maid and publisched in the dayes of our soverane lord his most noble progenitouris, speciallie by the 43 Act of the second Parliament of King James the First of worthie memorie, it is inactit, statute and ordaineit that all leising makeris and telleris of them quhilk may ingender discord betwixt the King and his people, quhair ever they may be gottin, salbe challenged by them that power hes, and tyne lyff and

goodis to the King; and lykwayes be the 83 Act of the sext Parliament of King James the Fyft of eternall memorie, bearand tuiching the article of leesing makeris to the Kinges grace of his barrounes, great men and leiges, and for punischment to be put to them thairfore, it is therby declaired that the Kings grace with the advyse of his thrie Estaites, ratefies and approves the actis and statutes maid thairupoun of befoir, and ordaines the same to be put to dew exequutioun in all poyntes; quhilks Actis of Parliament in the 205 Act of the 14 Parliament of our soverane lordis darrest father, King James the Sext of happie and never dieing memorie, ar with advyse of his Hienes Estaites in that Parliament ratefiet, approven and confirmeit and ordaneit to be put in executioun in all tyme thaireftir following; as in the saids lawis and Actis of Parliament at mair lenth is contenit. Notwithstanding quhairof it is of veritie that you the said James, Lord Ochiltrie, haifing in the moneth of Maij, 1631 yeires, last hard be relatioun of Donald, Lord Ray, that certane speiches, surmeiss and informatiounes was maid to him be David Ramsay with the heid, Mr. Robert Meldrum, and certane utheris persounes beyonde sea in France, Pomerland, and Holland respective, and be the said David Ramsay and certane uther persounes within the kingdome of Ingland, anent some plote and dangerous purpose intendit against the sacred persone of our gracious lord and soverane, the Kings most excellent Majestie, his gracious Queine and thair darrest sone the Prince, and against the land, be suppryseing of the Kinges Majesties housses and castellis of Edinburgh, Stirling and Dumbartone, and fortefieing of the towne of Leith; ye, not being content to reteine your selff within the boundes of ane loyall subject by the faithfull reveilling of that quhairof yow had resaveit informatioun fra the said Lord Ray, out of ane malitious policie and designe of your awin, tending to the sawing of seditioun and discord betwixt his Majestie and his maist loyall subjectis, the Marqueis of Hamiltoun, the Erle of Hadintoun, the Erle of Roxburghe and the Erle of Buckcleuch, did at your first meitting with his Majestie, quhilk was upoun the xvij of May last bypast, signifie to his Hienes that the bussines was ane tressoun intentit against his Majestie, and that the pairtie was the Marqueis of Hamiltoun, as ye was informed. And to the effect his Majestie micht be put in greater assurance of the treuth of these your speeches, ye upoun the 16 of Maij preceiding delyverit to the Lord Thesaurer of Ingland ane list of names, to represent to his Majestie the strenth of the said Lord Marqueis of Hamiltoun his pairteis and adherentis in Scotland, whilk was all writtin with your awin hand and intitulat Representatioun for my Lord Thesaurer, quherin ye name the Marqueis of Hamiltoun to be pryme agent, and names the Erle of Melros, now Erle of Hadintoun, the Erle of Roxburghe, and the Erle of Buckcleuch to be plotteris. Lykwayes upoun the Sonday, being the 22 of Maij, at quhilk day the said Lord Marqueis of Hamiltoun (haifing comed post from Scotland in thrie dayes) was to present himselff to his

Majestie, ye thinking that ye had possest his Majestie sufficientlie with your malitious leisinges and calumnies against the Lord Marqueis, and that his Majestie being so instigat and irritat against him wald imbrace and follow your perverse and malicious counsell, ye verie baldlie and malapeartlie came to his Majestie about the end of his denner and brak out to his Majestie in these wordis: Sir, now we knaw the bessines bot knawis not the tyme, and thairfore, Sir, ather do or die. Be the giveing of the quhilk malicious counsell (gif God be his grace had not reullit and directit the heart of our gracious soverane to proceid in the bussines with greater wisdome, calmnes and moderatioun nor ye be your former wicked counsell intendit) ye thairby did what in yow lay to move and cause his Majestie put in practeis some suddaine and violent course to the subversioun of the lyff and honour of the said Lord Marqueis, his Majesties most loyall subject. Lykas all the forsaidis articles and passages of your proceiding in the premisses wer maliciouslie forged, inventit and practeized be your selff without any warrand arryseing to yow from the relatioun of the said Lord Ray, quhilk is manifest be your awin depositioun maid in presence of ane number of the Counsell of Ingland deputit be his Majestie for your examinatioun upoun the 20 and 24 dayes of Junij last bypast, be the quhilk ye haif grantit and confessit the premisses layed to your chairge to be of veritie, and als dois grant that the paper of names quhilk ye did delywer to my Lord Thesaurer, utherwayes callit be yow in the tytle thairof ane Representatioun to my Lord Thesaurer, as said is, was maid be your selff, and that the Lord Ray was nocht privie to the making thairof, nor to the delyverie of the same to the said Lord Thesaurer. And siclyk in your examinatioun ye being inquyred for what cause yow did name the said Lord Marqueis to be pryme agent, ye could assigne no trew ressoun nor cause by any warrand of the Lord Ray against the Marqueis, bot be the contraire, the said Lord Ray being examinat upoun the 21 of Junij, in presence of his Majesties Counsell, declaired that he knew nothing against the persone of the Lord Marqueis, bot that the said Lord Marqueis was alse guid ane subject as any the Kings Majestie had. And lykwayes ye being askit be what warrand ye did call the Erles of Melros, Roxburghe and Buckcleuch to be plotteris, ye ansuerit thairto that the Lord Ray had taulde yow that the Lord Seaforte had affirmeit to him that the Erles of Melros and Roxburghe wer acquaintit with the particularis and secreites of that bussines, declaireing thairwith that the Lord Ray had affirmeit that to yow, befoir yow gaif in and delyverit your paper of representatioun to the Lord Thesaurer; and farder ye declaired that the Lord Ray tolde to yow that he could not gess who els sould haif beine upoun the plote unless it wer the Lord of Buckcleuche; albeit my Lord Ray being examinate in presence of his Majesteis Counsell upoun the 24 day of Junij last bypast, declaires that the first tyme that the Lord of Seafort had any speech with him anent the Erles of Melros and

Roxburghe and thair being privie to the Marqueis of Hamiltounes bussines was upoun the Mononday eftir the Marqueis of Hamiltoun his comeing out of Scotland and not before. And the Marqueis haifing come to Courte from Scotland upoun Saturday, 21 Maij, and the representatioun gevin be yow to the Lord Thesaurer contening the list of the plotteris and actouris being gevin in be yow to the said Lord Thesaurer upoun 16 Maij of befoire, ye could never trewlie affirme that ye had nameit the saidis Erles to be plotteris upoun pretence of any informatioun resaveit from my Lord Ray, who did not speik to yow anent them at the tyme of the giveing in of the said representatioun, bot aucht dayes thaireftir. And siclyk the said Lord Ray deponit upoun the said 24 of Junij, that ye and nocht he did name the Erle of Buckcleuche as one who wold tak armes in Scotland to assist the Marqueis. Be the quhilkis leisingis, calumnies and sklanderous speiches, untrewlie plottit, devysed and ventit be yow against the said Marqueis of Hamiltoun, the Erles of Hadintoun, Roxburghe and Buckcleuch, in maner foirsaid, all of them being his Majesteis faithfull counsellouris and loyable subjectis, ye haif manifestlie contraveined the tennour of the saidis lawis and actis of Parliament, and incurrit the paines and punischment mentionat thairin, viz.:—the deserveit punischment of death.

The Examinatioun of James, Lord Ocheltrie, takin 20 Junij, 1631.

1631, June 20.—1. The said examinant sayeth that on or about the sext or sevint of Maij last, at the signe of the Beare neir the bridge foot, the Lord Ray told this examinant that souldiers and travelleres did often hear these thingis quherof these that stayed at home had no notice, and said he did beleive thair wes ane plot against this land. This examinant *wisched him gif he had ony good groundes* so to think that he sould not faill to discover it. The Lord Ray said he had no certane ground, but gif he had stayed but fyve weekis longer in the Low Countries he wold haif knawin the certantie, and that he wold haif hazardit his lyff that he wold haif had the certaintie. [*On the margin against this entry*—No certain ground].

2. The thretteint of May the Lord Ray cam to this examinantes chamber, and there *putting this examinant in mynd of the former speeche betuixt them he told this examinant that he had* *learnit more certaintie then evir he had befoir sence the tyme of thair last speeche. Quherupoun dyverse passages wes betuixt his Lordship and this examinant about the discoverie of it and the maner. In the end his Lordship told this examinant that the purpose of the Marqueis Hamiltounes levies, as dyvers of his commanderis and followeris had informed him, the said Lord Ray, wes, that ather they sould not goe owt of Ingland and Scotland, or, gif they did, they sould returne

* Denied by Lord Reay on the following day.

into Ingland or Scotland and surpryse the Kinges housses in Scotland, viz., the castellis of Edinburgh, Sterling and Dumbartane, and fortifie thameselfis in Leyth under pretence of trayning, and sould tak Berwick and so marche fordward into England. And this examinant asking quhat could be thair intentioun so to doe, the Lord Ray said that he wes informed they meanit to tak the Kingis persoune and to immurate him, to send the Queene into ane cloyster, and to captivate the young Prince with his father, and to strick of the headis of all the principall men about the King, both Inglish and Scottis, and in particulare the Lord Thesaurer of Ingland, the Erle of Monteith, Sir William Alexander, and Sir Thomas Hope. And this examinant sayeth that befor the Lords discoverit the particularities foirsaidis to this examinante, this examinante using persuasiounes to him to reveale it, asket the said Lord Ray quhat it might be, saying it wes ather ane Frenche or ane Spanish factioun, to quhilk the Lord Ray said it wes nather, bot told this examinant quhat it wes, and so revealled the particularis abone mentionat.

3. Wherupoun the Lord Ray being fullie resolved to proceede to ane farder discoverie, and thinking it fitter to be done be this examinate then be himself lest those quhome it concerned micht sooner suspect it, desyret this examinate to acquaint his Majestie or the Lord Thesaurer thairwyth.

4. On the morrow, being Saturday the 14 of Maij, at nicht, this examinate came to haif spoken with the Lord Thresorer, but, his Lordship being going to bed, by his appoyntment this examinate came the nixt morning and told him he had somquhat to reveale that concerned his Majestie and all his kingdomes and posteritie. The Lord Thesaurer therupoun went instantlie up to the King and eftir the same day told this examinate that his Majestie had gevin him commissioun to heir this examinatis relatioun.

5. This examinate forder sayeth that the Lord Ray told this examinate that he had muche of this beyond sea from Robert Meldrum and David Ramsay, but since his coming into Ingland, as he said, he had spoken with Sir James Ramsay, Sir James Hamiltoun, Colonell Alexander Hamiltoun, Captaine Douglas, and had spoken somquhat owt of everie on of them. He also said he had spoken with the Lord Seaford and had understood somequhat from him.

6. On Monnonday, the sexteint of May, this examinate attendit the Lord Thesaurer at Quhythall, and entring into ane relatioun in the verie beginning discovered that the matter quhilk he wes to relate concernit the Lord Marqueis of Hamiltoun and his actiounes. Quhilk so soone as he had nameit the Lord Thesaurer commandit him to say no more, untill he had acquanted the King agane; but wished this examinate that he and the Lord Ray sould goe presentlie to Greenwitche where the Lord Thesaurer sould meitt. Bot the

King being comit towards Quhythall this examinate and the Lord Ray came back againe and wer then appoynted be the Lord Thesaurer to attend his *Majestie on Tuysday at ten of clock, quhilk they did.*

7. This examinate farther sayeth that on the Monday, 16 Maij, this examinate delyverit to the Lord Thesaurer ane list of names to represent to his Majestie the strenth of the Lord Hamiltounes pairtie and adherentis in Scotland.

8. At this examinates coming to his Majestie this examinate told the King that the *busines wes ane treasoun* intendit against his Majestie, and the pairtie wes the Marqueis of Hamiltoun, as this examinate wes informit, and that it wes the filthiest treasoun that evir wes intendit, and wes sorie that ony Scottisman sould haif ane hand in it, for it wes ane schame to the haill natioun. And then the Lord Ray himself coming in maid relatioun to his Majestie, who remitted him to the Lord Thresorer. Quharupoun this examinate coming to the Lord Thresorer and telling him the King had remitted the lord unto him, the Lord Thesaurer wished that the Lord Ray wald put his relatioun into wrytting. Quharvpoun this examinate and the Lord Ray went toggidder and sat up all nycht, and the Lord Ray first putting it into wrytting, this examinate wrett it owt of the Lord Rayes paperis, who on the morrow brocht the samyn to the Lord Thesaurer, bot this examinate wes not then present; bot the nixt tyme that he came to the Lord Thesaurer, being askit by him quhais hand the wrytting wes, this examinate said it wes his hand, and the Lord Thesaurer telling that the Lord Ray had not subscryvit it, and about tuo dayes eftir he brocht the Lord Ray to the Lord Thesaurer quha red ovir his haill wrytting and subscryvit his name to it saying, he wold seale it with his blood.

9. This examinate farder confesseth that he told the Lord Thesaurer *that the Lord Ray told him he* had yitt more, and wold say so muche as the Marqueis wold not haif the face to deny it; quhilk the Lord Ray then present affirmed in so muche that the Lord Thresorer said, Then is the busines at ane end; thair neidis no wrytting.

10. This examinate farther sayeth that on the Sonday morning, quhen the Marqueis Hamiltoun came owt of Scotland, the Lord Ray told this examinate that he had spokin with the Lord Seaford, who assurit him thair purpos wes to tak the King, the Queene and the Prince. And this examinate asking how they sould effectuat it, the Lord Ray replyit the Lord Seaford had told him they wer verie great with the Erle of Dorsett, who had the custodie of the Prince. And this examinate farder sayeth that the Lord Ray told him that he wes assured by my Lord of Roxburcht that the Marqueis and his companie wold hastin thair purpos, and the Lord Ray said that surlie the Hamiltounes had takin some vent of the busines, and that Sir James Ramsay had told him he had fyftein hundreth men in

readines upoun ane houris wairning, but they sould not come about London till thair busines wes readdie; with all whiche the examinate the same morning acquanted the Lord Thesaurer to the intent his Majestie mycht know thairof.

11. And farder sayeth that schortlie eftir the Lord Ray told him he had spokin againe with the Lord Seaford, who told him the matter quhilk he had formerlie told him concerning the Erle of Dorsette wes but ane disguysed thing.

12. This examinat farther sayeth that on the Sonday morning he wisched the Lord Thesaurer to advyse the King that he sould goe to London for mair safety; and understanding the King had sent for my Lord Ray, this examinate wisched the Lord Ray wer not sent for, becaus the Lord Ray wes gone to the Erle of Seaford to learne more. And farther sayeth that the same *tyme being in the* end of the Kingis denner, this examinate told the King in these wordis: Sir, now ye know the business but know not the tyme, and thairfoir, Sir, ather doe or die.

Sic subscribitur.

Carlile; Rideston; Morton; T. Coventrye.

TRUE COPY OF REPORT OF EXAMINATION OF DONALD, LORD RAY, TAKEN 21 JUNE, 1631.

1631, June 21.—1. The said examinat sayeth that haifing hard in Swedden from David Ramsay such thinges as ar conteined in the writtin relatioun whilk hath beine delyverit to his Majestie, and eftir haifing hard in Pomerland these passages from Robert Meldrum quhilkis ar in the same relatioun, this examinat haifing ane resolutioun to come for Ingland about December last, was stayed in Denmark by ressoun of the yce, so as he came not to Holland till about Marche last, wher he had ane conference with David Ramsay and hard from him such other passages as ar conteined in the same relatioun. And eftir comeing into Ingland, becaus David Ramsay had tolde this examinat that he wald wryte to the Marqueis of Hamiltoun how far furth the said David Ramsay had treated with this examinate, this examinate expectit that the Marqueis wald haif spokin thairof unto him. He did thairfore forbeare to say any thing thairof. Yet about two or thrie dayes befoir the Marqueis went into Scotland this examinat did speik to the Lord Ochiltrie to this purpose, that his Lordship was better acquainted then this examinate with the faschiounes and lawis of this land, and desyred to know what danger it was gif ane man hearing beyonde sea of thinges that micht be dangerous to the King or state sould not speik of it. To which the Lord Ochiltrie ansuerit, No less nor your heid and estate. And this was all that passed betwixt them at that tyme, being the first tyme that they spak thairof, and the place was (as he thinketh) at the Lord Ochiltries awin house.

2. He farther sayeth that about eight or ten dayes eftir, this examinat comeing to the Lord Ochiltries ludging to talk of some uther bussines, eftir speach thairof spak to this effect: My Lord,

yow remember I askit yow ane questioun ane lytle sence what the danger micht be not to speak of materis dangerous to the King or state whilk he had hard beyonde the seaes, and I wald now againe haif your advyse thairin. And the Lord Ochiltrie promeising his readines to advyse him so as he mycht be acquainted with the particularis, this examinat tolde him he wald acquaint him with the particular gif he wald sweare not to discover it bot as he sould direct, adding that gif he did utherwayes this examinat wald pay him. The Lord Ochiltrie ther said and protestit that he wald nocht discover any thing bot as this examinat sould appoynte, wherupoun this examinate declaired the particularis to him, who hearing it tolde this examinate it was necessare to be revealled, and doubtit least this examinat had keeped it too long alreadie. Bot then this examinat said, considdering it concerneit one so neir the King as the Marqueis of Hamiltoun, he thocht it not fitt that this examinate sould himselff break it aff to the King, leist the King sould at first reject it, bot it wald be fitter for some other to do it, and thairfore desyred his opinioun how to discover it. The Lord Ochiltrie advyseing ane quhyll said he thocht it best it wer discoverit to some of the Privie Counsell, wherupoun this examinate said that he wald not discover it to any Scottisman, bot thocht it best to reveall it to the Lord Thesaurer, becaus he thocht the Lord Thesaurer was no way in the plote.

3. According to the quhilk resolutioun the Lord Ochiltrie (as he eftir tolde this examinate) did, according as was aggreit betuixt him and this examinat, repair to the Lord Thesaurer the same nicht, bot failling then to speik with him he went the nixt morneing before this examinat saw him, and returneing told this examinate he had beine with the Lord Thesaurer and in generall impairted to him that he had ane mater to discover quhilk neirlie concerned his Majestie, and said further it was no Inglische bussines, bot it was (to his awin shame he spak it) ane Scottische bussines; nather was it any Popische plote. And the Lord Thesaurer then refuised to heare it till he had warrand from the King.

4. Eftir the Lord Ochiltrie and this examinate wer appointed to waite on the King at Greinwitche; quither this examinate coming fand the Lord Ochiltrie within with his Majestie; and then this examinate comeing in maid ane full relatioun to his Majestie; who asking this examinate wherfore he had not himselff tolde his Majestie sooner of it, this examinat ansuerit that considdering the neirnes of the Marqueis of Hamiltoun to his Majestie the examinate was affrayed leist his Majestie wald haif beine impatient towardis this examinat, and besocht his Majestie to forgive this examinat gif he had thocht or done amiss thairin. His Majestie thairupoun referrit this examinat to the Lord Thesaurer and bad this examinat put the relatioun in wryteing, wherupoun that nicht this examinat and the Lord Ochiltrie satt upe all nicht and this examinat wrytting it first downe the Lord Ochiltrie wret it sheitt eftir scheitt out of this examinatis paper; and this examinate brocht the same writtin

relatioun to the Lord Thesaurer and red it unto him and left it with him. And ane day or two eftir this examinat and the Lord Ochiltrie came againe togidder to the Lord Thesaurer, the Lord Ochiltrie haifing tolde him that this examinate had forgottin to signe it, and then this examinat signed it, saying he wald mak it good with his bloode.

At quhilk tyme this examinat rememberis the Lord Ochiltrie told the Lord Thesaurer that this examinat had more to say yet, quhilk this examinat did then also affirme. And the cause quherfore he did affirme it was becaus this examinat [had been] with the Lord Seaforte and had some particularis from him, quhilk he did not particularlie tell to the Lord Ochiltrie bot affirmed to him in the generalitie that he wald say more. Bot ane day or two eftir this examinat went againe to the Lord Seaforte and spak with him, and then he tolde the same first to the Lord Ochiltrie.

5. He farther sayeth that the Lord Ochiltrie on Sonday morneing tolde this examinat that he had beine with the Lord Thesaurer and had tolde him of the passages with the Lord Seaforte, and of the Marqueis his returne, and that he conceaveit it micht be dangerous at that tyme for his Majestie. Bot this examinat tolde him he had done evill thairin, for thair was no such suddainties to be feared. And on the same Sonday in the eftirnoone this examinat comeing to his Majestie and hearing from him that he had beine adverteist of somewhat importing mater of present danger, this examinat said he had beine with the Lord Seaforte, bot had not the certaintie of thinges, but prayed his Majestie to give him leiff to go againe to the Lord Seaforte and then he wald learne all. And at the same tyme his Majestie telling what danger had beine suggestit to him now upoun the Marqueis his returne, this examinat protestit he knew nothing against the persone of the Marqueis, bot that he was for ocht this examinat knew als good ane subject as any the King had.

Copy of the Examination of James, Lord Ochiltree, taken on 24th June, 1631.

1631, June 24. The said examinate confesseth that the understanding which he had of the busines concerning the Marqueis of Hamiltoun, quherof he hath beene so oft examined, cam to him from the Lord Reay.

He confesseth forder that the paper of names which he did delyver to the Lord Thresorer wes maid by this examinat himself, and the Lord Ray wes not privie to the making of it or to the delyverie thairof to the Lord Thresorer until eftir it wes done.

He sayeth that the caus quherfoir he did in that paper mentioun of the Lord Marqueis to be privie (*sic*) agent was for that the Lord Ray had told him, the Lord Marqueis, his followeris had said the intent of the Marqueis his levies wes to invade Scotland.

Being told that the Lord Reay hath beene so far from charging the Marqueis that he hath affirmed afore his Majestie that for ought he knowes the Marqueis is as good a subject as ony the King hath, he ansuereth that gif in tendernes and care of the Kingis safetie, and upoun ground of the Lord Rayes relatioun from the Lord Marqueis his followeris, he have gone ony thing to far, he trusteth his Majestie will imput it to his dewtie.

Being asked quhy in the afoirsaid paper he makes the Erle of Mewros, the Earl of Roxburght and the Erle of Buccleucht to be plotteris, sayeth that the Lord Ray told him the Lord Seaford had affirmed to him that the Erle of Mewros and Roxburcht wer acquanted with the particularis and secrettis of the busines and forder sayeth the Lord Ray had told him he could not guesse who els sould be in the plot unles it wer the Lord Buccleugh, of quhome the Lord Ray said he hard him speak terrible and presumptuous words against the King at his awin table in Holland.

He sayeth the Lord Ray did affirme to this examinate that he had the afoirsaid report of Erles of Mewros and Roxburcht from the Lord Seaford befoir he, this examinate, maid or delyverit the said paper to the Lord Thesaurer. [*On the margin*—Tho' contrair to my Lord Ray's depositioun 28 Junij].

The said examinate doeth [say] that on the 13 of May the Lord Ray affirmed to him that since thair former speech (quhiche wes the sext or sevint of May) he had learnit more certantie then evir he had befoir.

He confesseth that quhair in his former examinatioun he said the Lord Ray told him he wes informit that they meanit to strick of the headis of all the principall men about the King, he wes mistakin in mentioning all, and did not weill mark himself when he so expressed it, his purpos being to haif said they wold strick of the headis of many, for so he taks it wes the scope of the Lord Rayes speache.

Being told that the Lord Ray denyeth that he spak with Colonell Alexander Hamiltoun since his coming into Ingland, he sayeth that it is possible that this examinate mycht mistak in adding that name to the rest, and thairfoir will not contest about that.

He doeth avowe that in presence of the Lord Ray afor the Lord Thresorer, this examinate said that the Lord Ray could say so muche as the Marqueis sould not have the face to deny it, and quhat this examinate said, the Lord Ray being than present and hearing it, did not gainsay.

He sayeth the Lord Ray told him Sir James Ramsay said to him that he had fyftein hundreth men in readines, and the first tyme said upoun ane houres warning, but at a second tyme the Lord Ray speake of aucht dayis warning, and farder that he wold not bring them to London till thair busines wes readie.

Being acquanted with quhat Johne MacKay, sone to the Lord Ray, had or confessed to haif bene told him by this examinate, he doeth acknowledge it, and that he said it to Johne MacKay after the Lord Ray and this examinate had attendit his Majestie about the samyn busines, but did not think his speache thairof to Johne MacKay sould have done ony hurt to the busines.*

1633, October 11. Whitehall.—Warrant by the King to the Lords of Exchecker. The Earl of Mar and his son, Lord Erskine, for relief of their debts, are feuing some of their lands held ward of the Crown, but are delayed in doing so by the terms of an Act of Parliament which prohibits such lands being feued without the royal consent. He therefore, in consideration of the good services rendered to his late father and himself by the said Earl, requires them to allow him to proceed with the feuing of the following lands, viz.:—Brae of Mar, Strathdea, Kildrumie and Migvie in Cromar.

c. 1633.—Anent the Order to be keiped heirefter in all such articles as sall be proponed or enacted in Parliament.

1. Itt is to be desyred thatt whattsoever bill sall be given in to the Parliament may be doketted, which may conteine the substance of the bill, thatt itt may be accepted or rejected as the Parliament sall think fitt. [*Deleted.*]

* The following paper, evidently connected with the same business, is from the Laing Historical MSS. in the University of Edinburgh. It throws an interesting side-light on the subject. "The manner of Donnald. Lord Rey and David Ramsey, Esquire, their commınge to and carriage at tryall uppon Munday, the 28th of November, before Robert, Earle of Linsey, Lord High Constable; Thomas, Earle of Arundell, Marshall Phillip, Earle of Penbroke, and Montgomery, Lord Chamberlaine; Edward, Earle of Dorset; James, Earle of Mulgrave; Earle of Carlisle; Earle of Mourton; Viscount Wentworth; Viscount Faulkland; Sir Henry Marten, knight.

The painted chamber was filled upon the occasion. In the centre, with benches round it, was a large table at which sat the heralds 'in their silk coates'; the macebearer, Mr. De-thicke; the regestar of the court, Dr. Ducke, the King's Advocate for the marshallship, and behind were two pews, one for the appellant and one for the defendant. The High Constable and Marshall entered and took their seats and then Sir William Segar, knight, Kinge at Armes, delivered the charge to the Registrar who read it, in substance, that the said Donnald, Lord Rey had charged David Ramsey, Esquire, with divers treasons and conspiracies against the King, which being denied, that court-marshall was held for the better determining the suit.

The appellant was then ushered up to the bar, his council, Dr. Reeves, standing by him with his bill and papers in his hand. The defendant was afterwards ushered in accompanied with his sureties, the Lords Roxborough and Abercorne. Lord Arundel made a short speech declaring the authority of that court, and was followed by Dr. Ducke, the King's Advocate for the marshallship, to the same effect.

The petition of Lord Rey was read containing in substance the charges of treason against Ramsey.

Ramsey then spoke saying it was false and that Lord Rey 'was a lyar and a barbarouse villaine' and then threw down his glove saying he would make him die for it. He afterwards proceeded to argue against the charge and much controversy on both sides followed. The court was dissolved till Friday, and several other times adjourned till 11th February, 1631, when the Lord High Constable delivered the sentence which was that as the court could not find out the truth, the parties should fight it out on the 12th of April next in Tuttle Fields Weston; to meet between 7 and 9 in the morning and finish before sun set.

The were to begin the fight with a spear or pike pointed; secondly, long sword sharpe and pointed; thirdly and lastly, sword and dagger pointed, and so the business was ended." *Copy.*

2. If the thing proponed being fund rasonable be nott presentlye putt to voycing in publik Parliament bott requyr deliberation, itt will be fitt thatt so many of evry estaytt as sall be thoght expedient be nominatt by the whole bodye to consider of thatt article and to report ther advyse att the next sitting to the whole bodye, thatt then itt may be approven or rejected in publik Parliament as the Parliament sall think meitt.

3. Itt will be fitt thatt severall committyes be appoynted as the bissinnes sall be fund to requyr to treatt on the things proponed and of such number as the Parliament sall appoynt, and nott always one committie to be for all bissines; and thatt the number to be apoynted on the committies be some tyme more some tymes less, as the Parliament sall appoynt and as they sall think the nature of the bissines to requyre.

4. Thatt whatsoever sall be proponed sall be first to the whole bodye of the Parliament and thatt no committee sall have power to reject any thing once proponed, without the consent of the whole body of the Parliament; lyke as no committe sall have power to mak any act till itt be first approven by the whole body of the Parliament.

Burgess Ticket of John Henderson.

1634, July 31. Preston.—The aith of ilk burges maid the tyme of his admissioun.

Heir I protest befoir God and your (w[orships]) that I profes and allow with my hairt the trew religioun quhilk at this tyme is publictly preichit within this realme and authorizit be the lawes thairof. I sall abvde thairat and defend the same to my lyves end, renunceand the Romane religioun callit Papistrie. I sall be leill and trew to our S[overane] Lord the Kings Majestie and his successouris and to the bailleis of this burgh. I sall keip and underly the lawes and statutis of the same. I sall obey the officiars of the said burgh, fortifie, menteine and defend thame in the executioun of thair offices with my body and gudis. I sall not cullour unfriemenis gudis nor geir under cullour of my awne. I sall not purches lordschippes nor auctoriteis contrair the fredome of the burgh. In taxatiounes and all uther things to be layit upone the said burgh I sall willinglie beir my pairt as I am commandit be the Magistratis, and sall not use nor purches exemptiounes to be frie thairof, renunceand the benyfyte of the same for evir. I sall carie na eird perteining to the freidome outwith to uther boundis without leive; and finalie sall attempt nor doe nathing hurtfull and prejudiciall to the libertie and commoun weill of this burgh; and sa oft as I sall brek ony poynt of this my aith I obleis me to pay to the commoun effaires of this burgh the sowme of fourtie pundis money and sall remaine in waird ay and quhill the samin be payit. Swa help me God, and be God Himself.

Apud Prestoun vltimo die mensis Julij anno Domini millesimo sexcentesimo trigesimo quarto.

The quhilk day Johne Hall and Allane Hendersone bailleis of the said burgh sittand in judgment, Johne Hendersone, sone to the said Allane, compeirand sufficientlie airmit, is maid burges of this burgh and hes gevin his aith in maner abonewrittin, and hes payit for his burgeschip to the saidis bailleis to be furth cummand to the commoun gude of this burgh the sowme of . . . . . Extract, &c. *Signed*, G. Diksone, cls.

King Charles the First to the Lords of Exchequer.

1634, December 12. Whitehall.—Right, etc. Though wee have refuised to confirme the rights of anie heretable keepers of our housses within that our kingdome, yett it is no way our purposs to mak them leave there charge thereof till it be done in a legall way, nor that any meanes be abstracted from them which was by our noble progenitours or ourselves allowed for that purposs; it is our pleasure that they still enjoy the rents which ar allowed to them for keeping of our housses wherof they have the charge as they formerly did, so long as it is not evicted from them by courss of law; they alwise performeing that which they ar bound to doe either for keeping or for maintaineing of the saids housses, for wee have a speciall care that all our saids housses may be keept in good ordour, and not suffered to decay. *Contemporary copy.*

The Viscount of Wentworth to [the Earl of Mar].

1634-5, March 13. My very good Lorde, The necessity of our translation hence, each of us in his season, and the hope of farre better exspecting us above, doth not only constraine our judgmentts to patience, but to denie ourselves the comfortt of our best and nearest freinds with chearfullnes and contentment; soe as I shall not spende any advise to a person of your Lordships piety and wisedum upon the late departure of your noble father. Wee may goe to him, but he cannot returne to us.

I am purposed now, God willing, to beginn my jurney into Connaght the beginning of July, and spend my time in that province till neare the latter end of September. The principall end of my jurney is to intitle the Croune and therafter to settle that plantation. I trust to the gratiouse acceptation of his Majesty. Howbeitt as yet I doe not fully understande his pleasure in all the incidentts thereof, but trust I shall before I move thetherwardes.

I shall be very ready to give you any advise whearby I weare able to serve your Lordship, but what, or how to doe itt in thos things which may passe betwixt his Majesty and your Lordship I am not able at this distance, and knowing soe imperfectly the termes when you left your affaires upon your solicitations to his goodnesse, soe as your owne judgmentt I am sure will farther shew you how to proceede in the pursute of your owne desires and much better then I can suggest unto you. Only I must advertise your Lordship his Majesty is purposed to make noe proportion of above fifteen hundreth acers at the most, soe itt willbe fitt for you to remove that lett with his Majesty, els

itt willbe out of my power to helpe you. Your Lordship mentions twenty thousand acers, but indeed I doe not see how possibly you can have itt, and therfore I should humbly advise your Lordship for this turne to thinke only upon your self and leave your freinds till an other time; for I feare both your turnes will hardly be served at this time, and forth of thes small plantations.

Ormonde for this yeare is not in my vew, nor doe I well see how I can doe both att once, soe as that must stay; which is the reason that I have not att all inquired after thos lands as yet, nor the condition of them, soe as therin I am able to give you noe presentt satesfaction. But soe soon as I know how to doe itt I shall willingly contribute my best to your service. As for the Barronry of Terrawlie I can say nothing in speciall, nor for any of the landes in Connaght, untill wee see wheare the Kings partte will fall to be, which cannot be knowen untill ther be a full agreementt sett betuixt his Majesty and thos Prouincialls.

I have caused to be inclosed a shortt note which will shew your Lordship whear I shall bestowe my time during my imployment and travell in settling this great worke, and a great one itt is indeed, howbeitt in consequence to the good governmentt and publike quiet of this kingdome, rather then in profitt. I shall be most gladde to see your Lordship and most wellcum you shall be to me, iff your other greate affaires will spaire you from them. Your Lordship willbe pleased to pardon the bearer his long stay, for he cums inn soe busye a time now upon the conclusion of this Parliament that in good faith I could not dispatche him sooner; and yet I have dun little els but write ever sine his cumming.

Wee are, I trust, to conclude this Parliamentt with full contentmentt to his Majesty, which is the first and principall steppe towards the making of this people and cuntry happy. God give His blessing unto itt, and to me a good occasion to shew how truly and readily I am, your Lordships faithfull and humble servant. *Signed*, WENTWORTH.

Dublin, this 13th of Marche, 1634.

1635, August 2 (? April 7).—Note of the order observed at the funeral of the Earl of Mar at Stirling; and of the procession, nobles and others present, and preparations for the same.

1635, October 27. Hampton Court.—Passport superscribed by King Charles the First to Lord Erskein and his four servants to travel into France and other parts beyond sea.

1635. Edinburgh.—Warrant by John, Archbishop of St. Andrews, Chancellor, to the Commissary of Stirling to grant licences to John, Lord Erskyne, who is nominated executor to his deceased grandfather, and must be confirmed to his goods, rents, etc., to pursue for the same and obtain decreets against creditors wherever the estates lie, in Mar, Garioch, Angus,

Mernis, Fife, Lanrick and elsewhere, so that he make up a perfect inventory. He has found heavy caution for doing this. *Signed*, SANCT ANDREWS, Cancell^r.

1635.—Submission by William, Earl of Erroll, Lord Hay, High Constable of Scotland, on the one part, and William, Earl of Merschell, Lord Keith and Altrie, on the other part, of all debates and controversies between them to the amicable arbitration of John, Earl of Mar, Lord Erskine and Garviauche, and Robert, Earl of Roxburgh, Lord Cessfurd and Cavertoun, with the Earl of Moray as oversman. *Signed*, ERROLL; MARSCHALL; MAR accepts; ROXBURGHE accepts; MORRAY acceps; KINGORNE, witness; M. STORMONT, vitnes; LYONE, witness; M. D. PRYMEROSE, witnes.

1637, September 23. Denmark House.—King Charles the First to John, Archbishop of St. Andrews, Chancellor; John, Earl of Traquair, Treasurer; and remanent members of the Privy Council of Scotland. He has taken notice of the inclosed information and the Earl of Mar's long sufferings and charges in prosecution of the Tanning Reform, and authorises them to pass in his favour a gift for uplifting a groat from every hide during the few years of his patent yet unexpired.

KING CHARLES THE FIRST to the EARL OF TRAQUAIR.

1638, March 9. Newmarket.—Rycht trustie and rycht weel-beloved cousin and councellour, wee greete yow weell. Whereas the Erle of Mar hath humblie represented to us the ruinous estate of the Castle of Sterline, and how that by the tymelie repaireing thereof and of our park wall there, a farr greater charge hereafter may be now saifed which the helping thereof will then necessarlie requyre, it is our pleasure that such defects as shalbe found therein be speedilie helped with the walls of the park, and that yow caus a stone dyk to be built about the garden adjoyneing thereto for keeping out of the deere; for doing whereof these shalbe unto yow ane sufficient warrant. *Contemporary copy.*

KING CHARLES THE FIRST to his ADVOCATE FOR SCOTLAND.

. 1638, March 9. Newmarket.—Trustie and weelbeloved councellour, wee greete yow weell. Haveing condiscended with the Erle of Mar for his surrendering and upgiveing to our Crown of his whole interest and right to the heretable offices of the schireffshippe of Sterlineshyre and baillierie of the lordship of Sterline, togidder with the baillierie of the Water of Forth, as yow will perceave by the agreement mutuallie condiscended upon between us touching that purpose, it is our pleasure that with all diligence, haveing considered of his evidents and rights thereunto, and of a sure and legall way how hee and his heires may for ever hereafter be divested of these heretable offices and they divolved upon our Crown, yow draw up such wreitts and see him and the Lord Ersken, his sone, doe and performe all such things as yow shall find necessarie to that purpose, without prejudice alwayes unto the said Erle, his

heires and assignes of any other thing mentioned in these evidents, whereunto they have right not heirby disponed to us; for doeing whereof these shalbe unto yow ane sufficient warrant. *Contemporary copy.*

1638, March 22.—Note of the whole ordnance within the Castle of Edinburgh, and their defects.

1639, March 22. Whitehall.—CHARLES R.—Right trusty and right welbeloved cousin, we greete yow well. Wheras for the better settling of businesse in that our kingdom of Scotlande we have occasion to speake with yow, both concerning our owne service and your particular, we do heerby will and require yow, all excuses sett aparte, to make your immediat and personall repaire hether to our presence for this our weighty and important service, wherin yow are not to faile at your uttermost perill. Given at our Court at Whitehall, the 22 day of Marche, 1639.

Addressed:—To our right trustie and right welbeloved cousin, the Earle of Marre.

In Mar's own handwriting:—His Majestys letter, 22 March, '40, calling me to Court.

KING CHARLES THE FIRST to the EARL OF MAR.

1640, January 4. Whitehall.—CHARLES R.—Right trustie and welbeloved cousin and counsellour, wee greet yow well. Having understood how yow with other two of our Privie Counsell have taken upon yow the authoritie of the whole boord in stopping of a remission which wee were pleased out of our royall authoritie to give unto James Grant, wee are highlie displeased that any whom wee had entrusted to be of our Privie Counsell, who should maintaine our authoritie, should committt any thing derogatorie to the same. And therfor wee doe hereby command yow that yow forbeare any more to sitt at our Counsell table till our further pleasure be knowen. From our Court at Whitehall, the 4 of Januarie, 1640.

Addressed:—To our right trustie and welbeloved cousin and counsellour, the Earle of Marre.

THE EARL OF MAR to KING CHARLES THE FIRST.

1640, February 6th. Stirling Castle.—Most sacred soverane, As in all humilitie I have resolved to obey your Majesties lettir commanding me to forbeare to cum to the Counsall table till your Majesties further pleasure wer knowne, so must I crave pardon to desyre that your Majestie may be pleased to try the trewthe of our cariage in that bussines by considdering of the informatioun I have sent up to be showne to your Majestie, which will mak itt appeare to your Majestie upoun how just and warrantable groundes we have proceidit. By this meanes as I doubt not bot your Majestie sall get satisfactioun of our pairt so sall it appeare to the world how undeservedlie we have bene misreported of; and all honest men finding (out of your justice) your desyre to try treuthe wilbe the moir incouraged and hartned to attend your Majesties service heireftir. Expecting

your Majesties pleasure by your gratious ansuere, and beseiching God to blisse and preserve your Majestie, I rest, your Majesties most dewtiefull subject and humble servant. *Copy.*

1640, July 20. Edinburgh.—Warrand and Commission by the Committee of Estates to John, Earl of Mar, Lord Erskine and Garioch, that "forsameikle as the necessitie of the tymes requires that so soone as the men, horesmen and foote, alreadie appoyntit shall come furth conforme to the generall ordouris, immediatlie thairefter everie man betuix 60 and 16 be mustered in thair severall shyres, presbetries, jurisdictiounes or paroches, that ane perfyte roll may be made of all the men and lykwayes ane inventar maid of all the armes as weill for horsmen as footmen and the saids armes to be givin up on oath," he take charge of the shire of Stirling in this matter, so that "quhen occasioun and necessitie shall require the said men and armes may be in readines to defend the countrey or obey quhat the said Erle of Mar or his officeris shall command for defence of the countrey and as he shall get ordour from the Committee of Estates or the Generall." He is to report the lists to the Committee or his Excellence, and with the consent of the several Committees to divide the men into regiments and companies where this is not already done, appoint commanders over them of the ablest gentlemen of the country, and cause them exercise themselves in martial duties. If when necessity shall require, or appearance of invasion, he finds that he cannot make headway alone, he is to call to his assistance those similarly commissioned in the shires of Fife, Clackmannan, Perth, Linlithgow and Dumbarton. Power is given to him to deal with recusants, and he is directed to communicate with and report to the Committee of Estates at Edinburgh at least once every week upon the public charges so that prompt order may be taken with any delinquents. This commission is to endure until it is discharged by the Committee, and it is signed by A. Leslie, Amont, Rothess, Montrose, J. Burghly, Naper, W. Caprintown, J. Forbes of Leslie, J. C. Gaitgirth, J. Smith, Mr. Al. Wedderburne, and Edward Edgar.

c. 1640.—Ane list of the men in Strathdone that may and must goe furth with the Earle of Marr at this tyme. Undated, but probably about 1640.

Curgarffe, tuantie four men, and Donald Farquharson on ther head	24
Skellater, younger, for all his lands holden of the Earle of Marr, sexteine men with himselfe	17
Kandicraige, elder and younger, tuantie men and them selfis, both	20
Donald Catanach and three men for Toldiwhill	03
Belnabodach, three men, with John Fergusson, lyffrenter, on ther head	04
John Forbes of Ladmacey, for his lands, tuantie men and himselfe	21
Culquhannie, sex men and himselfe	07

Culquharrie, sex men and himselfe..... 07
New, sexteine men and himselfe 17
Alexander Forbes in Buchane and James Forbes ther, themselfis and a prettie man with every on of them, and William Forbes, messenger 05
Toldsheuch, eight men 08
Glenbuichet, thirtie men and himselfe 31
Glenkindie, tuantie men 20
For his lands in the lordship of Kildromy
.....

c. 1640.—Sir Jeames Galloway, a Royalist, his predictiones befor the late trubles of King Charles the First.

About the time that one shall be
Joyned unto tuo times thrie, 1648.
With four times ten, and four times two,
Amongst us shall be great adoe.
Ane eagels head that time shall fall;
Scattered shall be the younge ones all.
A cipher then shall rise full great, Oliver
His name ane 100 taks the seat, Cromwell.
And shall doe mightie things before
He is removed from the shoare.
Bot ten times five, with tuo and six,
Him in ane other world shall fix.
Then quickly after him shall hye
The eagles back againe to flye,
And shall bedeck himselfe againe King
With feathers of his father's traine. Charles I (*sic*).
Till heavie times shall make men say
Often Alace, and willaway,
And wish that they a death might find,
For somethings truble sore the mind.
Old bloody Roome will greatly seek
Quite to destroy heretick sheep.
Great treachery and bloodshed then
Shall swipe away great store of men.
And after all a cloud shall come
Will almost darken quite the sune.
The Cross, the Surplice, and the Croune
Strives how to pull each other doune.
Foolish Irland contrives our woe,
Bot zelous Scotland doth not soe.
Begine againe with one and six, 1677.
Eleven times seven beging these tricks,
And for a time shall last full sore,
Which you may number once yet four, 1681.
And in four more it shall abait, 1685.
To welcome in a happie state.
Then better evryday shall be,
Bot no more in England sie.

* Sir James Galloway was Master of Requests to King James the Sixth, and a Privy Councillor in the reign of King Charles the First.

THE EARL OF MORTON to the EARL OF MAR.

1642, March 24.—My Lord and luving cusin, I give you hartie thanks for your kynd adwys tho I dar not promis to follow it, for I never considerit my self when my maister or my freind had to do with my service. I have promised to advertis my Lord Napeir of what I heir from Court and, God willing, I sall be als good as my word. For the last part of your letter concerning my bond to your father I must intrait your patience untill it appeir what is don be the Erle of Traquhar, and thareefter your Lordship sall find all deutifull performance be your cusin and servant. *Signed*, MORTON.

Addressed:—For my honorable Lord and luving cusin, the Erll of Marr.

[In another hand] Mortoun, 24 March '42, anent the 6,200 lib. rest to me.

KING CHARLES THE FIRST to the EARL OF MAR.

1643, April 21. Oxford.—CHARLES R.—Right trustie and right welbeloved cousin and counsellour, wee greet you well. Since nothing on earth can be more deare unto us then the preservation of the affectiouns of our people, and amongst them none more then of these of our native kingdome; which as the long and uninterrupted government of us and our predecessours over them doth give us just reason in a more neare and speciall maner to challenge from them, so may they justlie expect a particular tendernes from us in everie thing which may contribute to theire hapiness. But knowing what industrie is used (by scattring seditious pamphletts and employing privat agents and instruments to give badd impressions of us and our proceedinges and under pretence of a danger to religion and government) to corrupt theire fidelities and affections, and to ingage them in an unjust quarrell against us, theire king, wee cannot therefore but remove these jealousies and secure theire feares from all possibillity of any hazard to either of these from us. Wee have therefore thought fitt to require you to call together your frindes, vassalls, tenants and such others as have any dependency upon you, and in our name to shew them our willingnes to give all the assurance they can desire or we possiblie grant (if more can be given then allreadie is) of preserving inviolablie all those graces and favours which wee have of late granted to that our kingdome; and that wee doe faithfully promise never to goe to the contrarie of anything there established either in ecclesiasticall or civill government, but that wee will inviolably keepe the same according to the lawes of that our kingdome. And wee doe wish God so to blesse our proceedinges and posterity as wee doe really make good and performe this promise. Wee hope this will give so full satisfactioun to all who shall heare of this our solemne protestacioun, that no such persons as studie division, or goe about to weaken the confidence betwixt us and our people, and justlie deserve the

name and punishment of incendiaries, shallbe sheltered from the hand of justice; and all such others as shall endeavour peace and unitie and obedience to us and our lawes may expect that protection and increase of favour from us which theire fidellity deserves. So expecting your care hereof, wee bidd you heartily farewell. From our Court at Oxford, the 21 of Aprill, 1643.

Addressed:—To our right trustie and right welbeloved cousin and counsellour, the Earle of Marr.

THE PRIVY COUNCIL to the EARL OF MAR.

1643, October 16. Edinburgh.—Our verie honorabill Lord, The Councell haveing this day mett, there appeared before us some ministers of the Presbiterie of Edinburgh, and in name of the said Presbiterie gave in the Solemne League and Covenant with the acts of the Comittie of Estates and Generall Assemblie made thairanent, and desyred us to concurre be our example and auctoritie in swearing and subscryveing thairof. And the Councell haveing considered the same as tending to the good of religion, his Majestie honour, and peace and happines of his kingdomes, did hartilie concurre with the judgment of the commissioners of the Convention and Assemblie, and have appointed the secound day of November nixtocome for the Councells swearing and subscryveing thairof. These are thairfore to desyre your Lordship to keep this dyett preceiselie as yow desyre not to be esteemed ane enemie to religion, his Majestie honour, and peace of this kingdome; and for your Lordships better information we have heirwith sent to your Lordship ane copie of the said Covenant and Acts prefixt thairto, and rests, Your Lordships assured freinds,

Signed, ARGYLL; LAUDERDAILL; BALMERINO; LOUDOUN, CAN^LL^RIUS; CASSILLIS; DUNFERMELINE; WEMYSS; SINCLARE; J. BURGHLY; J. SMYTH, provest of Ed^r^.

Addressed:—For the right honorabill Lord, the Earle of Mar. In [another hand]: The Counsels letter, receated the 27 of October, 1643.

1643, October.—The propositions wich the Sieur of Boisimon (being sent by the Most Christian King) maketh to the Lords of the Counsell of Scotland in his maisters name.

1. First, Thatt conforme to the instructions thatt the Lords of the Counsell of Scotland gave to the Earle of Laudien, ther deputy in France (by consent of the King of Greatt Brittane), thatt the sayd Lords (so far as ther power can extend) sall confirme the ancient alliances of France and Scotland.

2. Thatt for this effect the Scottes sall nott enter in England in armes derectlye nor inderectlye wither under pretext to serve the King of Greatt Brittane or under pretext of religion without commission of the King ther maister; and (in regarde that this article presseth) the most Christian King desyreth ane presise and prompt answer.

3. Thatt the Lords of the Cownsell of Scotland (in imitation of the most Christian King) have no regard to the difference of religion of those who serve in France who enrolle or sall enrolle themselfes to serve ther; and in regard thatt the churches of Scotland have determined the contrayre in ther Assemblye itt is requyred thatt the Cownsell of Scotland sall give owtt ane act of retraction of thatt wich is determined by the Assemblye.

4. The Sieur of Boisimon, be commandment of the King his maister to make yett some farther propositions, bot as thir ar the most principall wich concerne the maintenance or ruptur of the alliance of the two kingdomes, he hes ordre first to advye the answer he getteth to thir articles, befoyr he propone anye uthers.

(On the back)—The French Commissioner's propositions to the Counsell of Scotland translated in Scots in October, 1643.

c. 1644.—Paper, indorsed "Articles craved by the Parliament of his Majestie." These consist of a preamble affirming the dutifulness of the supplicants, lamenting the distractions of the time, and proposing measures to be taken by his Majesty for the restoration of peace. These are formulated in nineteen articles dealing with the constitution of the Kings Council under the supervision of the Parliament, the education and marriage of the Kings children, measures to be taken regarding Papists, the reformation of Church government, the militia, the courts of law, and the forces now attending his Majesty; also desiring his Majesty to enter into alliance with the United Provinces and other Protestant States for defence of the Protestant religion against the attempts of the Pope; and to clear Lord Kimbolton and the five members of the House of Commons in such a way as to secure Parliament in the future, etc. These being granted, they promise to regulate his Majestys revenue to his best advantage, and increase the same beyond that granted to any former sovereign, to put the town of Hull into his possession, and dutifully and affectionately to maintain the honour and safety of his Majesty and his posterity. *Undated.*

1645, August 2.—Bond of caution by John, Earl of Mar, in 20,000 merks, that on the release of his daughter, Lady Elizabeth Erskine, Mistress of Napier, and Mrs. Lilias Napier, daughter of the Lord of Napier, from the Castle of Edinburgh, they will proceed to his dwelling house and keep ward within the same and one mile about it.

1645, September 27. Kildrummy.—Obligatione and tie upon their trest freind, Robert Ferquharsoune of Invergald, to the Earle of Mar and the Lord Areskine, his soune, touching the keeping and defending of thair house of Kildrumie, as after followes:—

1. I, Robert Ferquharsoune of Invergald, doe faithfullie bind and oblige myselfe to be ansuerable for the house of Kildrumie to the Earle of Mar and his soune, the Lord Areskine, onlie.

2. I bind myselfe to deliver it upp to no persoun or persons whatsoever but to the said Earle and his said soune, and to deliver it to them or one of them whenever theye shall require it.

3. That I shall receave non into the said house without their especiall consent and privitie except suche a competent number as I must needs have in garisoune for the defence of the house as occasioune or hazarde shall offer, and that of suche men as I am content to be ansuerable for: shall still make the house forthcomming to the said Earle of Mar and Lord Erskine.

4. That I shall refuse entrie within the said house to non whou ar engaged in the Kings service whome the said Earle or his said soune shall send to reside in it, I, the said Robert, still being so master of it that theye exceed not my power within the said garisoune.

5. That no hostile act, prejudice or injurie shall be doune by myselfe or anie in the housse to anie whou ar or shall be ingaged in the Kings service unless I, the said Robert, be still able to justifie that thorowge their oune just desert it shall be forced upon me.

6. That I shall be bound for, as farr as maye concern the keeping and defending of this housse, to be a freind to the Kings freinds and ane enemie to his enemies to the uttermast of my power. *Signed*, R. Farq[r]sone.

1646, March 1. Kelham.—Letter from Lieut.-Gen. David Leslie to the Committee of Estates. Earnestly desiring them to show clemency to the Earl of Mar and Lord Erskine, his son. His Lordship was forced for the safety of his estate to join with the enemy, and showed this by voluntarily leaving them; and though he has been misled, he thinks that the father should not be punished for the son's error. By quarterings and impositions from both sides, both have already suffered severely, and anything further would mean total ruin. Their Lordships present favour to Lord Erskine "will prove a singular mean to maik that honorable family continue as they have anciently been, true and faithfull patriots." The writer is under many obligations to the Earl of Mar, and hopes therfore their Lordships will grant the like favour as the Committee of Glasgow did on October 30, 1645, when they declared they would dispose of no fine to be imposed upon Lord Erskine for joyning with the rebels without the advice of Lieut.-Gen. David Leslie. The writer also requests their Lordships clemency to the Laird of Keir (who came to him from the enemy upon his protection), and also for Lord Annandale. *Copy.*

Lieut.-Gen. David Leslie to the Committee of Estates.

1646, March 8. Kelham.—My Lords, Beeing informed that the Lord Erskeen is appoynted to come befoir your Lordships the 8th of this instant, I have taken the boldnes earnestlie to desyre your Lordships to taik both his and his fathers case in

your serious consideration; and then I will not doubt bot your Lordships favour will extend so far to him that he shalbe for the tyme liberat of anie fyne. For first the noble man for saftie of his estait wes in a maner forced to joyne his person with the enimie; which I think he declaired by his voluntary leaving him. Then tho he had been misled I think his father should not [have] been punished for his error, who by the severall quarterings and impositiones of both sydes hath alreadie suffered verie much, and [if] he who hath begun to frie his esteat of those great burthens, under which it hath long groaned were now fyned, I presume if it did not totalie ruine him it should at least put him in alse bad a conditione as he wes in befoir. And I am verrie confident that your Lordships favour towards my Lord Erskeen at this tyme will prove a singular meane to mak that honorable familie continue as they have anciently been, true and faithfull patriots. The great obligationes I have to my Lord Marr, and having givin his sone my protectione, forceth me to be your Lordships humble petitioner for the noble man, and doe not doubt bot yow will suffer me to enjoy the favour which the Committee of Glasgow wes pleased to grant me by this inclosed act concerning him.

And in regaird the Laird of Keer come from the enimie upon my protectione and that his great sufferings during the tyme of those troubles hath without all questione brought him to a low conditione, I earnestly desyre that yow wilbe pleased so to modifie his fyne as that he may subsist, and not onlie he bot others be incouradged to leave those evill courses whairin they have been misled. I beg humbly your Lordships [pardon] both for this my importunitie and my former concerning my Lord Anandale; bot as your Lordships will in a high measure tye tham to yow for your favour, so by the same in a singular maner yow will obleidge me to testifie how much I am,

Your Lordships most humble servant,

(Sic sub^{r}.) David Leslie.

1646, April 9th.—Extract Act of the Committee of Processes and Money, finding that John, Lord Erskine, was with the rebels since the battle of Kilsyth, and with James Graham and his rebellious army at the battle of Philiphaugh; also that he obtained a pass from Lieut.-Gen. David Leslie, declaring that if he left the rebels before 14th November then next he should not be troubled in his person. Notwithstanding they adjudge him a delinquent of the first class; and though his life is safe on account of the pass, they fine him 24,000 merks, as he is in the fee of his father's estates, whose liferent they reserve. They, however, deduct one fourth of this amount because of his submissive behaviour, and, declaring him unfit for any place of public trust, ordain him to find caution in £40,000 for his compearance before the Parliament when cited and his future good behaviour. *Signed*, Ja. Prymrose.

1646, December 14.—Lord Napier of Merchiston to the Earl of Mar, condoling with him on the death of a child. "Nothing," he adds, "occurrs worthy of relation; only Cromwell is advanceing northward with a considerable power, and a little money to the Scotts army, which if they will not accept, he will fall on as his ordors caryes. Montrose is yet in Denmarke (and as wee heare) hes taken imployment from that King." Merchiston. *Signed*, NAPIER.

c. 1647.—Ane ansuer of a letter concerning the Kings going from Holemby to the armie.

Sir, yow desyr my opinion concerning this late great business, the Kings going into the armie. My judgment is shortly and cleirly thus: That his Majestie went thither nether against his oune will nor the desyr of the armie. I beleve his Majestie had no reasoune to be verie fond of the place quhair he was befor or of the great respects he receaved thair, being (without doubt) at the top of his preferment, and in all likliehood not to have continewed so weillso long, had not some stronger brydle then that of alledgeance to him or religioun to God maid thaim forbear any further attempt. For that which you pleased or rather your fears do suggest, viz., that his Majestie hes leapt out of the frying pan into the fyre, left ill cumpaney to adhere to worse, becaus yow are pleased to say (and you doe but say it) that this armie consists of Independants who ar worse principaled for magistracie then those of the other partie; I ansuer that indeid it can not be denied that out of diverse of thair books we may gather such conclusiouns, which for my pairt I cannot allow of. But that the fears and jealoussies of both housses may not forsaik thair old maisters in such a busie tyme as this, and wholie tak up and possesse your breist, I pray yow, Sir, reasonablie weighe all circumstances, and yow shall find that his Majestie hath fallen into much better cumpanie then ether his cuntriemen wer to him, or commended him to, not to say sold and betrayed him. Of those men (call them Independents or quhat yow will) I have had a great deall of experience. I find tham in thair way verie devote, verie just in thair dealling, and of all the armies imployed by the Parliament in this unnaturall warre I will be bold to say non behaved thamselves mor civillie, mor christianlie against the adverse partie then they; and considering thair different judgments and opinions non wer mor in charitie and unitie among thamselves. In all my discourse I had with tham (and I talkt with maney of tham) I fynd a great deale of humilitie and lowlines amongs tham; but as they desyr to exercise no sever jurisdictione over other mens consciences, so they seem to desyr in lyk maner that non may over thairs. I doe not treulie perceave that they have a mynd to give law to any other, but only to procure thair owne libertie and quiet. This libertie they can not have under the Presbiterie, who have both in pulpit and presse declaired so bitterlie (I had almost said so unchristianly) against thaim. How then or by quhom can they houp to injoy this priveleidge more frelie, mor

fullie, then by receaving it from him who hath the sole power in these dominions under Christ Jesus to grant it? And thairfor mak no doubt bot that thair will be a verie right understanding begotten betwixt the King and the armie. And that as they ar raised by God at this tyme to reinvest him with his just lawful rights and prerogatives, to the eternall shame of his oune natioune (the first nationne that ever I reid of who sold thair King), so I doubt not but his Majestie will so weill resent this seasonable kyndnes of thairs, that as they preserve his persoun, honour and conscience, so he wilbe as tender of thairs. And treulie I think him fitt to be brought to condigne punishment as ane ewill counsellour that sall even go about to alienat the Kings hart from tham, or mak him to forgett this handsome loyaltie of thairs, that hath so gallantly shewed itself in the midst of so much creweltie, neglect and contempt, and quhen his Majesties other freinds had so litell power or opportunitie to doe him good. And this I delywer the mor cleirlie becaus yow know I am no partie at all in this busines, but (according to your desyr) I have given my sense, and quhat yow have mor to say, I pray communicat as friely to, Your affectionat freind to serve yow.

THE LAIRD OF GLENKINDIE to the EARL OF MAR.

1647, February 12. Glenkindie.—The Goodman of Invercald had asked him to sign a testimonial of "his sufficiencie tovards the covenant and keeping of the house of Kildrummie," but that as he feared this might mean the placing of a "stranger garisone" there, he had refused, telling Invercald "that if my brother wold preace to bring in ane stranger garisone ther I wold oppose him all that lay in my power." For the past two years he has had four of his own and his son's men nightly in Kildrummie for the keeping of that house, upon their own charges; and whenever he heard of the approaching of the enemy, he went thither himself. He knows what the establishment of a garison would mean to his lands which adjoin Kildrummie, from his experience with his lands in Buchan, and the garrison of Fyvie there, and be begs his Lordship to reserve the keeping of that house in his own hands, and Invercald, himself and others will contribute towards the cost.

LIEUT.-GEN. DAVID LESLIE to the EARL OF MAR.

1647, March 4. Edinburgh.—He will, so far as lies in his power, prevent the placing of a garrison in any of his Lordship's houses; only he will not to be able to avoid doing so if he receive particular orders "from the publick."

1649, September 22. Edinburgh.—Mr. William Colville, formerly one of the ministers of Edinburgh, to John, Lord Erskine. He expresses his gratitude for his Lordship's kindness in his present distress, and then proceeds, "As for that gentlman, Bosuell, he camme from the King in ane wauchter and is gone to Ireland to Ormond to heir the conditioun of affairs thair.

The King is at St. Mala's waiting what he heares from Ireland. Some thinke he will comme heir. I heard of one who spoke this day with the Chanclour. He told that he understude by ane letter from Eglintoun that Cromwell's men had got some defeat of about 700 or 800 horse routed." The writer, whose necessities and that of his family have been cared for by his Lordship, intends going abroad in this wauchter, the captain of which has offered him his own bed. He also encloses to Lord Erskine an epitaph upon his Lordship's grandfather, and a copy of his own sentence of deposition from the ministry by the General Assembly on the 26th July, 1649, because of "his silence in the publick cause in relation to the late unlawfull engagement against the Kingdome of Ingland," and his refusal to make any acknowledgement of his sin and offence therein.

1651, January 29. Perth.—Order by the King and the Committee of Estates to John, Lord Erskyne, to proceed with speed to the raising of the regiment of horse from the shires of Stirling, Clackmannan and Dumbarton, and to come to his Majesty that his Lieutenant-Colonel and Major may be appointed. *Signed by* A. Henderson, Cls. Dom. Con.

1651, February 18th. Perth.—Orders from the Kings Majestie and the Committee of Estates to the Colonells of Horse of the severall shyres.

Yow are hereby commanded by yourselff and all your under officers to go activelie about the levying of your regiment, and to quarter upon the deficients.

Yow are to accept of no souldiers but such as are free and have passes, and are not of anie regiment of the armie.

Yow are to be carefull to get good horse and men, and that they have good and fixed armes, especiallie good swords.

Yow are to be carefull that fyve firlots of oates be sent to Sterling for everie horse, and layed up in magazine there to bee at that place before the regiment come that length.

Yow are to cause collect fyiftein pund Scots for ilk horseman to bee delyvered to some responsall man in the shyre, according to former orders, and disposed of efter the generall randevouz of the armie for intertainement of the regiment as shall be appointed. And if anie monie bee already received by yow or your officers, yow are to cause delyver the same to the forsaid responsall man for the use aforsaid.

Yow are to be answerable that no officer under yow take money upon anie pretext whatsoever; and hereof ane accompt will be taken, and yow thanked or censured as yow shall deserve. *Signed*, A. Henderson, Cls. Dom. Con.

1663, September 8.—Commission to John, Earl of Mar, to apprehend and try Andrew Shaw, and McIntosh and Morgan Bane, his accomplices, who as vagabonds infest the bounds of Brae Marr, Strathdie and Strathdon, committing outrages and wounding and plundering the lieges. *Signed by* Glencairne, Chancellor; Marischall, Montrose, Lauderdaill, Caithnes, Morray, Hadinton, Southesk and Ch. Maitland.

1669, October 20. Glenkindie. — Agreement between Alexander Strachan, elder of Glenkindie, and Mr. Robert Irving, minister at the Kirk of Towy, to pay to , merchant burgess of Aberdeen, such sums of money "as he shall declare upon his faithfull, honest word that he shall give out in Holland for casting the bell of the said Kirk of Towy new againe, and for transporting of the said bell from Aberdeen to Holland and back againe to Aberdeen from thence." Andrew Strachan, lawful son to Alexander Strachan, younger of Glenkindie, is a witness.

1675, October 7. Edinburgh.—Orders by the Privy Council to the Earl of Mar, as Governor of the Castle of Stirling, to receive and keep Sir Patrick Home of Polwart and Robert Ker, sometime of Kersland, as prisoners, allowing them the liberty of the castle within its walls. *Signed*, Thomas Hay.

1675, December 15.—Letter superscribed by King Charles the Second, and subscribed by Lauderdale, requiring the Commissioners of the Treasury before expeding the new lease which has been granted for three years of the feuduties of the lands and lordship of Stirling to Charles, Earl of Mar, to take from him, as representing his father and grandfather, a sufficient discharge of a debt of £8,000 sterling due by the Crown to them, and of which from the former leases they have enjoyed they have now been fully paid. *Copy.*

1676, February 3.—Diploma subscribed by Sir Charles Araskine of Cambo, Lyon King of Armes, of the arms of Sir John Nicolsone of that Ilk, knight and baronet, as the reputed chief of that name.

1676, February, the last day.—Order from the Council signed by Thomas Hay, directing the Captain of the Castle of Stirling to liberate Sir Patrick Hume of Polwart; but who by his Majesty's command is still to remain under the other part of his sentence delaring him incapable of all public trust in the meantime.

[illegible]. Arthur Forbes of Brux to the Earl of Mar.

1677, February 27. Brux.—My Lord, I receaved yours vharin ye manifest a great displeasur for returning ane ansuer to ane imperius and impertinent letter of Jhon Keiries. I houp if it var impartiallie considered it vold not afford a just ground of pick. And vhearas your Lordship challenges me for new doctrine disperst among your vassells and that my practise is far contrarie to my proffessions of respects to your Lordship vhen last in the north, in my opinion ther is non who treulie knowes me that can justlie brand me vith hipocrasie, and I vold have expected that justice from a person of your Lordships honor, that according to your promises to me that non should have hed that influence on your Lordship to have misrepresented me unheard. I know ther ar severall passionat censorers that

pretends ane interest in your Lordships favour that vil not be vanting to misinterpret the best of my actions, bot I houp tym and experience vill discover them in ther ouen colors. I confes my service or kyndnes is of small significatione and deserves no thanks, bot such as it is it vas never vanting to your Lordship nor non of your concerns vhen justlie calt for. And vhear [you] threaten me vith the force of your courts if a vassels *redendo* sets not marches betuixt him and his superior it is a knake of laue I am yet ignorant of. Bot your Lordship most pardon me to tell you that as I should have been alvayes redie to have served your Lordship in poynt of kyndnes to the heasert of lyf and fortune, and on the contrar doe not imagine I vill be menaced to ane obsequiusnes vhar [I] find not my self legallie bound, so this [is] all from him vho subscryvs him tho mistaken, my Lord, your Lordships most humble servand, Ar. Forbis of Brux.

1677, April 4.—The Lords of the Privy Council being petitioned by James Erskein of Sheilfeild, that in his great sickness, his only brother, Mr. William Erskein, who is now prisoner in Stirling Castle, might be permitted to visit him and assist him in the ordering of his affairs, ordain the Earl of Mar to release the said Mr. William on his finding caution to return to his confinement within a month, and not attend any conventicle during the period of his release, under a penalty of 5,000 merks.

1677, April 4.—Commission by the Lords of Council to the Earl of Marr and Lord Elphinstoun to take cognition of two attempts made by William Rob, formerly coal-grieve to Hugh Paterson of Bannockburn, but dismissed for malversation, to wreck his master's coalworks out of revenge; and to report. *Signed*, Al. Gibsone.

1677, December 7. Edinburgh.—Order by the Lords Commissioners of the Treasury to the Earl of Mar to store five hundred stone weight of cheese In the Castle of Stirling. *Signed by* Rothes, Lauderdale, Kincardin, Ch. Maitland.

1678, February 26.—Commission by the Privy Council to Sir John Niclesone of that Ilk, lieutenant-colonel of the militia regiment of the shire of Edinburgh commanded by the Duke of Lawderdaill, to march with the said regiment on Thursday next, the last of the month, to Glasgow for the suppression of "rebellious feild conventicles and other insolences committed latly against his Majesties authority in some Westerne and other shyres," with an indemnity for all killing, wounding, apprending or imprisoning such as should make opposition. *Signed by* Rothes, Chancellor; St. Andrews, Lauderdale, Marschall, Douglas, Wigtoune, Argyll, Kintore, Elphinston, Ch. Maitland, Geo. Mackenzie, Tho. Wallace and Ja. Foulis.

1678, May 3.—Commission by the Privy Council to the Earl of Mar, to oversee the repairing of bridges and highways in the shire of Clackmannan.

1678, October 20.—Paper entitled, "The Military Exercise." It begins thus: "The regement being enbatelled and the feyles opened to their orders, yow comand the pykes to order their pykes and the musquetiers to exercise their musquets *ut infra*.

The Exercise of the Musquett.

Musqueteirs take heed to exercise your musquetts.
Cary your armes straight.
Observe your distances.
Silence.
Mynd the word of command.
Joyne your right hand to your musquett.
Poyes your musquett.
Joyne your left hand to your musquett.
Take your matches.
Blow your matches.
Try your matches to the midle of your panns.
Guaird your panns with your tua foremost fingers.
Blow your matches.
Open your pans.
Present.
Give fire.
Recover your armes.
Returne your matches.
Put them in their places.
Blow your panns.
Handle your preymers.
Preyme your panns.
Shut your panns.
Blow off your loose cornes.
Cast about your musquett to the sword syde.
Handle your charger.
Open it with your teeth.
Put the pouder into the barrell.
Draw furth your ramwands.
Hold them up.
Shorten them againes your breast.
Put them into the barrells.
Ram doune your charge.
Recover your ramwands.
Hold them up.
Shorten them to your breasts.
Put them into their places.
Joyne your right hand to your musquett.
Poise your musquett.
Shoulder your musquett.
Rest your selves upon your musquetts.

Then follows, "The exercise of the pyke," then "Musquetiers and pykes," together with evolutions in marching, countermarching and wheeling.

1678, November 1. Edinburgh.—Order by the Earl of Linlithgow to the Earl of Mar for all officers in regiments using pikes, &c.: "Edinburgh, 1 November, 1678. My noble Lord, Since my wreting of my last, I have sent for all the officers of the Kings regement to acquent them with ane order that I have given for ther carying all hoscoes when they are togither, and at other tymes only thes upon guarde. As lykwyse all Collonels, Levtennant Collonells, and Captains upon deutie are to cary pikes of elevn foot long, the Levtennants partizans, and the ensynges (when they doe not cary ther collours) halfe pikes. I shall desyre that your Lordship will be pleased to give the lyke ordor for all your officers. I have given ordor for the making of som hoscoes, pikes, and partizans heir, which any body that your Lordship will appoint may sie the same done for yow. I am, My Lord, your Lordships most faithfull and humble servant, Linlithgow.

Order to the Earl of Mar.

1678, November 28. Edinburgh,—By vertue of ane order direct to me by the Lords of his Majesties Privie Councill for quartering of his Majesties forces within this kingdome, daitit the 22nd day of November, 1678, I desyre your Lordship will be pleased to quarter your regiment at the places following, viz. :— Fyve companies thairof at Muselburgh, Fisherraw and Newbiging, and thrie companies at Dalkeith, untill further ordors; for which doeing this shall be your warrant, *Signed*, Linlithgow.

1679, April 4.—Order by the Privy Council to the Earl of Linlithgow, Major-General and Commander-in-Chief of his Majestys Forces, to send William Livingstoun of Greinyeards, now a prisoner in the tolbooth of Stirling, under a sufficient guard to the tolbooth of Edinburgh. *Signed by* Thomas Hay. On this same paper is an order by the Earl of Linlithgow to the Earl of Marr to send in the said prisoner as above.

1679, April 10.—Caution by William Clark, tenant to Sir William Bruce of Stainhouse, in the parish of Larbert, for the appearance within forty-eight hours when required of Michael Colvill in Stainhouse, and Thomas Clark, his own son, who are presently prisoners in Stirling tolbooth, for being at field conventicles, under the penalty of £100 each.

King Charles the Second to the Lords of Justiciary.

1679, July 13. Windsor Castle.—Right trustie and well beloved councellors, and trustie and welbeloved, wee greet you well. The punishment of crymes being of so great import to our service, and tending so much to secure our peaceable subjectis; and you being in the execution of that imployment at so much paines, and your bench being by its late constitution filled with persons of extraordinarie abilities and breeding, wee

have thought fitt at this tyme to assure you of our firme resolution to owne you and that our Court in the administration of justice to our people, and that wee will punish such as by injureing you asperse our authority and poyson our people. And particularly wee doe thank you for your proceedings against Mr. James Mitchell, that enemy of humane society, these who lessen that cryme or insinuat any reproach against these who were interested in that process as judges or witnesses being chargeable with the blood which they encourage to spill upon such occasions. And so wee bid you farewell. Given at our Court at Windsor Castle, the 13th day of July, 1679, and of our reigne the 31 year. By his Majesties command. *Signed*, LAUDERDALE.

1679, July 24. Edinburgh.—Order by the Privy Council in obedience to his Majesty's letter of 17th instant, to the Earl of Mar to set Sir Patrick Home of Polwart at liberty out of the Castle of Stirling. *Signed*, AL. GIBSON.

1679.—Sir Francis Winingstounes speiche to the House of Commons concerning the pardoune of the Thesaurer, Sir Thomas, Earle of Denbey.

1680, March 26th. Irvine.—Minute of the Council of War of the Earl of Mar's regiment condemning Abraham Gray, soldier in Captain Belford's company, to be degraded upon the head of the regiment, and thereafter shot at a post for running away from his colours; the time and place being referred to his Excellency, General Dalyell.

On the following day at Kilmarnock James Davidson, soldier in Captain Douglas's company, was accused and convicted of "blaspheaming," he having "exprest thatt Lord thatt we depentt upon was a bastertt of Joshaef," and is condemned to be degraded on the head of the batalion, and thereafter his tongue to be bored through with a red hot iron. This sentence is endorsed by General Dalyell.

1682, April 29. Whitehall.—King Charles the Second, apparently to the Council, in reply to a letter of the 14th written to the Earl of Moray, Secretary, respecting the rescue of a malefactor by some of the soldiers of Captain Cairns's company, from the hands of Col. James Douglas, whom they used barbarously in taking the prisoner from him, and ordering the arrest of Captain Cairns and the imprisonment of such of his soldiers as were engaged herein, until further orders are given by his Majesty's royal brother. *Signed*, MORRAY.

1682, May 20.—Instructions from his Majesty's Privy Council to General Dalyell, or such officers as he may send to the shires of Lanrick and Air for taking notice of the present condition thereof and receiving proposals for securing the peace hereafter. They are to go to Hamilton on Friday, the 26th, and meet with the Duke of Hamilton and other gentlemen of the shire of Lanark; to obtain a list of the rebels who have

not submitted, and consider how the ringleaders are to be brought in; to receive submissions from those willing to cast themselves on the King's mercy; to note places fit for lodging such forces as may be necessary to send into the shire; to consider what methods may be required for obliging persons, both innocent and guilty, to keep their parish churches; to see that none buy back goods confiscated by rebels to their behoof, and that the wives, children and friends of rebels possess none of their goods; and to consider who are fit to be appointed commissioners of Militia and Justices of Peace. On "Tuesday come seven night" they are to go to Ayr and meet there with the Earl of Dumfries and the Laird of Claverhouse, and follow the same course as at Hamilton. Then they and Claverhouse are to return to Lanarkshire and take such measures as will secure the peace of both shires; and afterwards come to Edinburgh and report to the Lord Chancellor for communication to the Council what they have done. There follows a note of a meeting at Hamilton on 29th May, which is adjourned till 2nd June.

KENNETH MACKENZIE to the EARL OF MAR.

1682, August 21. Dunblane.—He has sent the bearer, John McIntosh, one of his corporals, to receive "two or three skeens of match and as much puder as will make halfe a dussan shot to the companie, for when this companie march'd from Glasgow ther was only on skeen of match and not compleit three shot of puder givne us; so that iff ther bee any thing to doe when wee want amonition we will be able to do bot blunt service."

1682, December 1. Whitehall.—Copy signature in favour of Captain Archibald Stewart, brother german of Alexander, Earl of Moray, Secretary of State for Scotland, as Lieutenant-Governor of the Castle of Stirling.

1682, December 14.—Act of the Privy Council directing the Earl of Mar, as principal Governor of the Castle of Stirling, to administer the oath of office to Captain Archibald Stewart, brother german of the Earl of Moray, one of the Secretaries of State for Scotland as Deputy-Governor there.

1683, January 4.—Instructions for the Governors of all his Majesty's castles and garrisons in Scotland for the prevention of waste, etc.; some of which deal with the firing of salutes, which so far as relate to holidays are limited to the King's birthday, being the 29th of May; and the day of Gowrie's conspiracy, being 1st August. Given at Whitehall, 28th December, 1682, by his Majesty's command, MIDLETONE.

Directed to Lieut.-Gen. William Drummond, Master of Ordnance in Scotland.

1683, March 15.—Report by William Brown, Edinburgh:—"About three years agoe, having bein thorough most part of the seventeen provinces of the Low Countreys designing to settle a

constant coall trade to best advantage, I found no place where great Scots coalls are more in requeste then in the county of Flanders. The wood which they were wont to burne formerly being much destroyed by the late warrs causeth the great coalls sell weell with the brewers, salters, soape boylers and most all trades, except the smiths, especially in Ghent, Bridges, Ostende, Newport, Dixmuyde, Ipre, etc., the price being the only impediment." This he ascribes to the duties imposed, Scottish great coal paying three times as much as Newcastle coal, and to the remissness of the English consuls there, who, while taking their fees off the Scottish goods, do not maintain the privileges of the Scots, "our loss being their countreys profit." He had desired Mr. Lench, English consul at Bridges, to write to Brussels and get the matter redressed; but his reply was that it was not worth while, as so few coals came thither from Scotland, that Mr. Brown was the first who had complained, and that though he had instructions to resist any increase of duty upon English goods, he had none in this case. Mr. Brown further enquired, "Why he took consul fies off us and did not mind our privileges? He answered: I most not prescribe new methods to him, bot pay the dues without dispute as others formerly." The dues, Mr. Brown states, were increased twice in one year, without any opposition being made to it, at the instigation of the wood merchants, who to advance their own trade persuaded the Court of Brussels that Scottish coals were three times better than English.

For remedy he advises that the coal-masters shall procure a representation from the English Court to that of Brussels for examining into the true value of Scottish coal (which will be found under the English), and obtain a proper adjustment of the duty. The Flemish merchants all prefer Scottish to English coal, and will report so. Mr. James Kennedie, present Conservator of the Scotts privileges throughout the whole seventeen provinces, and now resident at Camphere, should also be written to to take energetic action in the matter, and to appoint deputes in the considerable towns to watch Scottish interests. These things being done, the County of Flanders (besides other places in Brabant, Artois, etc.) containing thirty walled cities, twenty-six great open towns, eleven hundred and fifty-four villages, besides castles and fortresses, inclines much to the use of Scottish coal, as they are destitute of wood. There is very little Scottish coal burned in the seven United Provinces. Most of this coal sent to Rotterdam is transported to Flanders and Brabant, and Amsterdam uses little or none. *Signed*, WILLIAM BROUN.

1683, May 12. Windsor.—Secretary Moray to the Earl of Aberdeen, Chancelor of Scotland, to be communicated to the Lords of Privy Council. The Lieutenant-General has, since coming to Court, represented to his Majesty that certain encroachments are made upon his office. His Majesty therefore directs that when their Lordships intend to employ any officer

of the army in any civil matter, they first communicate with the Lieutenant-General, or Commander-in-Chief of the forces; or if he be absent and the matter is urgent so that it is necessary to send directly to the officer so to be employed, that in that case they also send a copy of the order to the Commander-in-Chief.

1683, May.—The Kings final pleasure and determinatione concerning the business of the Mint is that in satisfactione of his Majesties interest in the decreet, the Earl of Lauderdale and Lord Maitland doe forthwith dispone to the Lord Chancellour all the lands and heretages they have within or about ten miles of Dundie, free from all incumbrances from the Earl of Dundies creditors and of the Lady Maitlands joynture or otherways, excepting the house and yeards and park of Diddup, the Constables place of Dundie and superioriteis of Bonnethill which are to be made over to Claverhouse, he paying to the Chancellor 20 years purchase for them. And this security being perfyted to the Chancellor and Claverhous satisfactione, the King promises the Earl of Lauderdale and Lord Maitland a full and ample discharge, remissione aud indempnity for all that can be laid to their charges, any maner of way in any statione or trust whatsomever. And for the Chancellour and Claverhouses better security they are assigned by his Majestie to the decreet of the Mint in so farr as concerns 20,000 lib. sterling, wherof 16,000 to the Chancellour and the remains to Claverhouse. Sir John Falconer is ordained to pay in to the Thesaurer four-and-a-half years out of all his estate reall and personal, Alexander Maitland and Mr. James Falconer each of them six years rent of theirs, and they to be discharged as above upon payment.

(Indorsed) Earl Lauderdale's sentence.

1683, November 27. Whitehall.—Letter from the King requiring General Thomas Dalyell, Lieutenant-General of the forces in Scotland, to place a detachment of sixty men of the regiment of foot commanded by Charles, Earl of Mar, in the Castle of Stirling, in addition to the ordinary garrison thereof; to cause twenty men to return from the Castle of Blackness to the King's regiment of guards, and to place ten men out of each regiment of foot in the Castle of Dumbarton in addition to the usual garrison; and to change these detachments from their several regiments at the end of every year. *Signed,* MIDLETOUNE. *Copy.*

1683.—Memorial, indorsed as having been prepared by Sir John Cunningham, respecting the claim of the Earl of Mar to keepership to the Castle of Stirling. The Earl narrates that in 1566 Mary, Queen of Scots, considering that John, then Earl of Mar, and his predecessors "had for many hundreds of yeirs faithfully served her Majestie and her royall ancestors without spott or offence," entrusted that family with the custody of the chief fortresses of the kingdom, "which they honourably and faithfully defended in most troublesome tymes." Further, considering that for a long time the said Earl and his predecessors

had been captains and keepers of the Castle of Stirling and sheriffs of the shire of Stirling, for which a fee of £400 was payable out of the lordship of Menteith, but which fee the Earl surrendered and contented himself with one of £100 yearly, her Majesty, for payment of this fee and the collecting of her rents of her lordship of Stirling, granted to him and his heirs male the offices of sheriff of Stirling, captain and keeper of the Castle of Stirling, parks, gardens, gallowhills and forrestry thereof with the lands of Raploch, and bailie and chamberlain of her lordship of Stirling; to which she added in the following year the office of bailie and chamberlain of her lordship of Menteith. By charters since and as late as 1677 these have been confirmed with some modifications to the present Earl and his predecessors. His Majesty will thus see that the Earl has good right to the said offices. He has "the honour to have descended from one of the most auncient families in your kingdom, whose title and a pairt of that estate he yet enjoys by Helen, sister german to Issobell, Queen of Scotland, and first wyffe to King Robert Bruce, both of them daughters to Graitnay, Earle of Marr, and that Donald, Earle of Marr, whose family he represents, was Governour of this kingdom in the minoritie and less age of King David, your predecessor, and that John, Earle of Marr, my (*sic*) great grandfather was Regent of your kingdome in the minoritie of King James 6th." Besides being intrusted with the keeping of the Castles of Edinburgh, Stirling and Dumbarton, the family has been in such regard that the heirs of the Crown have been placed in its charge, viz.: "Queen Mary dureing the troublesom and factions tymes of her infancie, and King James of blissed memorie dureing his infancie and untill he past his age of 14 yeirs," who frequently expressed his sense of this "as if they had held the Crowne upon his head in the tyme of the monstruous divisions and factions which arose in his minoritie; and suche trust did he repose in that family that he committit the care and educatione of Prince Henry to my grandfather and honored him also with the keeping of Edinburgh Castle, with the office of High Thesaurer, the honour of the Gairter, and matched him with his near relation." Suitably to the trust reposed in them the family has never been tainted with the least disloyalty. And "although your most humble, faithfull and obedient subject dares not pretend to the pairts, abilities and performances of many of his predecessors, yet haveing his harte frought full of firm purposes and resolutiones to sacrifice his lyffe and fortoune upon all occasiones for mainteinance of your royall authoritie and line all lawfull successors," he prays that his Majesty will continue "to that family that which he accompts the greatest honour thereof, the captanrie and custodie of your royall Castle which for so many ages they have enjoyed; and seriously professes that the loss of his lyffe and fortoune is of no suche value to him as the honour and trust of that command, wherin his predecessors have had the happieness upon severall occasiounes to signalize their dewtie and loyaltie to their soveraignes."

1684, August 1. Edinburgh.—Recommendation by the Lords of Privy Council to General Dalyell as to the disposal of his forces, as "severall desperat rebells doe dayly break out and appear in multituds in arms at their seditious field conventickles and lay ambushcadoes for his Majesties forces and kill some of them and rescue prisoners in their custody," viz., to continue the foot where they now are, and post one squadron of the Kings guard near Edinburgh, a second squadron under the Earl of Balcarras in Fife, Sir James Turner and his company of dragoons near Glasgow, Meldrum's troop of horse and Lord Charles Murray's troop of dragoons in Teviotdale, the General's troop of dragoons and Captain Strachans in Galloway and Nithsdale, Lord Drumlanrig's troop of horse at Dumfries, and that two squadrons of the King's troop of Guards, Claverhouse's troop, Lord Ross's troop, the Earl of Balcarras's troop, and Captain Inglis's and Captain Clelland's troops of dragoons be placed in Ayrshire and Clydesdale at the disposal of Colonel Grahame of Claverhouse or Lieut.-Col. Buchan, as flying parties, both of horse and foot.

1684, August 3. Canongate.—Lieut.-Gen. Dalyell to the Earl of Mar: "I render your Lordship heartie thanks for your gosack, and certainly if the falconer doe his part, she cannot feall bot be a bloody one. Mr. Spence reaves much, and it is hard to keep him wakeing. He speaks severall tymes of my Lord Argyle and his comeing home, but knows not what he sayes. Since the Chancellor and Tresaurer went to the Shank yisterday I have had the phisician and chirurgion with him, who say if he be not eas'd with some sleep he will go mad; and then all hopes of confession is gone. But I mind to make myself quitt of this employment, since they have rob'd me of a more honorable one, as this inclosed paper will shou your Lordship, which if yow understand, it is more than I doe."

1684, October 6.—Offers to be made by each of the landed gentlemen of the shire of Ayr in consequence of a special commission directed thither for preserving the peace, that he will take the oaths of allegiance and the Test, answer for the orderly carriage of his tenants and servants, and, if need be, pay his proportion of the cost of a troop of horse, "in consideratione of which offers I humbly beg your Lordships protectione to me and my tenants (off whose orderlines I desire the strickest inquirie to be made), and that notwithstanding of the bad charracters the countrey lyes under, your Lordships may looke upon me your selves, and represent me to his Majesties most honorable Privie Counsell, and to his sacred Majestie as one who is resolved at all hazards to be constantlie and firmly his Majesties most loyall subject and servant." *Copy.*

1685, May 30. Ayr.—The Earl of Dumbarton to the Earl of Mar at Paisley. He has written to Lord Cochrane to march with the gentry under his command to Ardgowen, and desires the Earl to furnish him with powder for his men, and to send

Cornet Innes there also with his party of dragoons with all speed to see what news he can get, as he hears Argyll intends going to Buit and landing some men upon the coast. He further orders Mar to send a lieutenant and sergeant with twenty-four men of his own regiment to march straight through the hills to the Large, whither also he has sent Lord Montgomery with the gentry commanded by him.

1685, June 1.—The Earl of Dumbarton to the Earl of Mar at Beth (Beith), directing him to march with his own regiment and the two companies of his Majestys foot-guards to Air, lying overnight at Kilwinning. He is to remain at Ayr till further orders. "Signed at Largs near four in the morning."

1685, October 6. Inveray.—Kenneth Mackenzie to the Earl of Mar. He has now a party of forty men at Obertarphe, forty-five going for Balwhider, twenty-five at Kincairn of Neill, and the rest at Invernes; and is troubled about his own payment and theirs.

1686, March. At Court.—Copy of the Act of Parliament discharging the execution of the sanguinary laws against Papists, in so far only as that they exercise their religion in private houses. To this is appended copy of a declaration signed by the Archbishop of St. Andrews and the Bishop of Edinburgh, consenting to the above Act as seeming to them, though not lawyers, a thing both equitable and reasonable. The execution of these laws has fallen into absolute desuetude for many years past, and the other penalties enacted against Papists have not been inflicted nor enacted during the whole of the last reign. They see no danger nor insecurity which can arise thereby to the Protestant religion. But this, they add, is but their own private opinion, and they cannot undertake to say that others will acquiesce in it.

1686, April.—Several papers relating to the above Act:—

1. Another copy of the Act itself.

2. Some queries and answers concerning the penal laws; probably by the Lord Advocate: "The Protestant religione being established and the professors thereof secured in all their interests by the laws of this kingdome, *Queritur*, whether a Protestant Parliament can in conscience and prudence consent that their be a freedome granted for the exercise of the Popish religione, and that the professors thereof may be capable of all places of power and trust in the kingdome, and be secured from all the punishments enacted by the laws against them?"

Answer: Either the freedome and security we must grant them is consistent with ours above-mentioned, or not. If it be not then it is evident that neither conscience nor prudence allow us to give it to them. If it be, then it is as cleare that they must not by any condescensione be put in a capacity to destroy our religione, lives or fortuns. And, if so, the Papists must never be the prevailing number of a legall Parliament, for then we might not only feare but be assured they would establish

their owne religione and invest the professors thereof in all the priviledges of ours. And how can we prevent their being legally the most numerous party in all offices and places of trust, and evne in Parliament, if the laws that incapacitat them for these places be abrogated? And therfore, to conclud, all that would be condescended to in Parliament by any conscientious and wise man, wer to grant indemnity to those persons whome the King doth grant liberty to for the exercise of their religione and whome he doth employ in places of trust, the laws still stand[ing] in force so as to disable them from making any laws contrary to those made before in favours of religione; for this alone gives them all the security they pretend to require, and the concessione of more would tend to the destroying of what we have by law and cannot either in conscience or reasone part with. I am content to give my consent in Parliament that such parts or clauses of any Acts imposing pains or penalties upon Romane Catholicks meerlie for their religione or worship, shall be taken off the file; as also that such of his Majesties Popish subjects as shall be imployed in offices, civill or military, shall be secured against all pains and penalties whatsoever, provided that at the same time the Protestant religione be sufficiently and effectually secured by such laws and statuts as shall be judged necessary for that end.

3. "Some motives for the Parliament giving their consent to the King's Majesties desire, which is that in respect many of the Papists in Scotland have evidenced their fidelitie and loyalltie to the Crown by their actings and sufferings for the King during all the late rebellion and all of them have lived peaceably and quietly without so much as a suspicion of sedition or conspiracie, that therefor his Majestie, with consent of the Parliament may allow them to enjoy their lyves and estates, notwithstanding of the laues to the contrair. "This is a paper of six folio pages closely written, dealing chiefly with the casuistry of the question, and in the close a reminder of the royal prerogative and supremacy of the King's sacred Majesty over the Parliament; which indicates that it is probably the work of one of the bishops.

4. "Reasones wherfore a consent to abolish the penall statuts against Papists cannot be given by any who oune the present Government in Church and State." This is a paper of five folio pages, closely written, offering seven reasons, which in brief are: 1. Papists are guilty of Idolatry. 2. It is contrary to the National Confession of Faith of 1581 and 1590. 3. It is most contrary to the Oath of the Test. 4. Popery is at present very prevalent and aggressive both abroad and in these lands. 5. His Majesty when royal commissioner and since his accession gave security for the Protestant religion, which this will practically annull. 6. It were a condemnation of former Kings and Parliaments who enacted these laws because of the treasonable and wicked conduct of Papists. 7. It removes all securities formerly given.

5. List of those who voted for and against the Act in the Committee of "the Articles."

For—Archbishop of St. Andrews, Bishop of Edinburgh, Privy Seal, Duke of Hamilton, Marquis of Douglas, Earl of Erroll, Earl of Strathmore, Earl of Southesk, Earl of Tweeddale, Viscount Tarbett, L. G. Drummond, Lord President, Lord Balcaskie, L. G. Douglas, Laird Cockstoune, Lord Drumcairne, Ld. Forrett, and the Provost of Aberdeen—18.

Against—Archbishop of Glasgow, Bishop of Galloway, Bishop of Brechin, Bishop of Aberdeen, Earl Marishal, Earl of Mar, Sir William Bruce, Sir George Drummond, Provost Milne Carridden, Provost of Dundee, Provost of Glasgow, Provost of Dumfermline, Provost of Irvine, and the Provost of Dumbarton—14.

1686, June.—Letter from the Earl of Mar to King James the Seventh asserting his unswerving loyalty, and seeking to remove a wrong impression which the Commissioner may have conveyed regarding his conduct with reference to some measures to which he had not felt himself free to consent on account of his religion and some oaths of a special nature under which he lay. Yet he "wes farr from the unmanerlie indiscretion to intrude on ane oppositione to your Majesties will. . . . Your commands shalbe my rule, and the greatest evill I fear on earth is your Majesties anger at or mistake of me." *Copy.*

1687, March 10.—King James the Seventh to the Privy Council. He thanks them for their letter of 24th February and especially all who have concurred in it. In consideration of the promise of the Duke of Hamilton for the future his Majesty suspends his resentment against his carriage in that matter in the meantime; but lays aside the Earls of Panmure and Dundonald. He approves of their resolution to have the letter signed by all the Councillors, and he has presented the original to such of them as are at Court, and they have signed it. They are to take care there be no disorders, and that no Presbyterians be allowed to preach but such as have the Council's permission, and on receiving the indulgence take the oath prescribed by the proclamation of 12th February last. *Copy.*

THE EARL OF MAR to VISCOUNT TARBAT.

1687, May 20th. Alloa.—Captain Stewart has never showed him his commission, and the Chancellor has said that it is the Earl's duty to go to the Castle of Stirling and call for it. The Viscount of Strathallan is of the same opinion; but he himself is not clear on the point and begs advice. The Chancellor is to be at Drummond to-night.

1687, August 12th.—Order by the Council to the Earl of Mar authorising him to expend 700 merks on repairing the roof and other parts of Stirling Castle which will otherwise become altogether ruinous. *Signed by* PERTH, Cancell; ATHOLL, TWEEDDALE, TARBAT and HAMILTON.

1688, May 23. Edinburgh. Letter to the Earl of Mar for the King's special service. My Lord, Pray order the Castle of Stirlin with all care, and wee order the putting of all women and children for a while out of the Castle and all other unnecessary people, for the like will be ordored in the other Castles. Your Lordship shall be Twesday at night in Glasgow. Yow most informe the Governour-deputy that the Generall Artillery and Mr. Sletzer are to ordore the Artillery and ammunition, and therfore there ordors most be obeyd. As to Ardvorlick, wee desyre that young Ardvorlick may goe free and be incouradged, and the old man secured as dangerous. If Kipdarroch can be had let him be secured. If any suspect or indifferent persons have armes or horses they would be seazed and made use of. Wee are, my Lord, your affectionat friends and servants, QUEENSBERRIE, Comr.; PERTH, Cancells.; DUMBARTON, TARBAT. Take all possible wayes to seaze Achinbreak at any rate wherever he can be found.

1688, August 15. Edinburgh.—Letter to the Earl of Mar "for his Majesties speciall service." My Lord, Keppoch and his adherentes in Lochaber, having so farr shaken off all dewitie and alledgance to their soveraigne lord the King as to levie warr and by oppen force to invaide his Majesties forces and otheres his duitiefull subjects and killed severalls and made otheres prisoneres in oppen defyance of justice and law, his Majesty is resolved to bring them to condign punishment, and has sent Captain Charles Straiton to pursue them. To assist in this service the Earl is with all diligence to gather a number of the lieges within Braemar, and post them in such places as shall secure insult from the rebels or their obtaining shelter from pursuit; and power of fire and sword against them and their goods is given. By order of the Privy Council. *Signed*, PERTH, Cancell., I.P.D.

LORD CHANCELLOR PERTH to the EARL OF MAR.

1688, October 31. Edinburgh.—His Majesty's service requires that some Highlanders be brought to Stirling and kept there under arms prepared for any emergency. The Earl is therefore to send thither one hundred of his Highland tenants and vassals, and form them into two companies, with officers, who are to be paid by the Treasury as the militia are paid. When they arrive in Stirling they will be provided with ammunition and provisions so long as they are required. In name of the Council.

THE PRIVY COUNCIL to the EARL OF MAR.

1688, November 16. Edinburgh.—The Earl of Breadalbane has been commissioned to go to Stirling to dispose of the Highlanders presently there, by dismissing some and forming the rest into companies, and they desire his Lordship to act with him herein. *Signed*, Jo. GLASGOW, I.P.D.

1688, November 28th. Order by the Privy Council to Charles, Earl of Mar, to dismiss to their homes all the Highlanders lately called out and quartered in and about Stirling, except one hundred belonging to himself presently in Stirling Castle. Those who belong to the Duke of Gordon are to receive four days provision for their journey; those to the Marquis of Athole, three days; and those to the Earl of Perth, Lord High Chancellor, Earl of Breadalbane and others adjacent to Stirling, two days. *Signed by* Will. Paterson, Clerk of the Council.

c. 1688.—Information to the Earl of Mar by Arthur Forbes of Brux. In *anno* 1654 the Earle of Glenkearne being commissionat be his Majestie as his generall did ishue out a proclamatione to all loyall subjects to joyne with him for freing our native cuntrie from the yoake of the English servitude, and for re-establishing our righteus and lawful Prince on the thron of his predecessors. Upon the notice of the said proclamation, tho a stripling, I forsook the Universatie and furnished my self and servands with horse and armes at ane considerable raite, and did joyne my self to Sir Charles Erskeene, laite Lord Lyon, Captane Patrik Forbes, brother german to the present Lord Granard, and severall other gentlemen, and being by the treacharie of sum cuntrimen ve var attacted by the garisone of Breamarr and maid prissoners, from vhence ve var transported vith a strong gaird from prisson to prisson, being so sevearlie treated that ve var put in the theefs holls of Cuper and Bruntiland in our transport to Leith, vhar I stayed close prissoner seaventene veekis until this Lord Elphingstone, his father being my cusing german, gewe baile for ane thousand pound sterling to enter me prisoner upon demand. So upon his suirtie I got libertie to go to Elphingstone and stay, untill he vas upon suspitione himself put under areast for fear of joyning vith Glenkearne. Upon which I was remanded to prison; and hed not Generall Monk, who then vas comander in cheef of the English, gewen me ane forloaf to goe to the north to gett new secuiratie I hed certanlie been sent to Barbados, as all var vithin fewe days sent that var in that prisson. My small esteat vas in the interim under sequestratione, and that expeditione stood me upwards of ane thusand dollors. Shortlie therafter I vent to Germanie and vas cornett to the Duke of Veymer his majore under the King of Sueden, and hed ane promise of the first vaicking troupe to staye. But upon ane promulgatione of the Kings pleasur that all his subjects should forsaike the Sueds service and com to Flanders to vaite his Majesties farder order, both Meldrum and I did ley doune our charges and brought vith us about ane dusson of gentlemen to Brissels, vhar ve kist his Majesties the Dukes of Yoark and Glosester ther hands; and then in the laite Lord Midlton his regiment ve listed our selfs in the late Lord Napiere his particular companie privat pykmen and served in the Spanish service under great hardshipe. And lastlie since the establishing of our Scots Militia I have been majore and livtenant-collonel to the Eearle Martishall his

regiment q[uhic]h hes stood me considerablie of oven privat fortune, untill May j^{m} vj^{c} aughtie thrie the Lord Keith got a commissione to be livtenant-collonell to his fathers regiment, vhich eased me of that burdene. And altho all my sufferings and meane services var bot diutie to my Prince and cuntrie, yeate they mey afford your Lordship sum small ground if anie vacancie shall offer that your Lordship juges me capable of to drope a vord in my behalf. For the trewth of this informatione is knowen not onlie to Meldrum, bot to severall offishers in the armie now standing.

1688[-9], February 5. St. James's.—Printed letter requesting the Earl of Mar to attend the meeting of the Estates of Scotland to be held at Edinburgh, on 14th March next. *Signed by* William, Prince of Orange.

1689, April 12. Edinburgh.—Order of the Estates to the Earl of Mar, Governor of the Castle of Stirling, to keep the Earl of Perth close prisoner, allowing him only one servant, who is to remain as a close prisoner with him, and not to give him the use of pen, ink or paper under further orders. *Signed*, Al. Gibsone.

1689.—Description of the cannon within the Castle of Stirling.

c. 1689.—A representation of the losses sustained by the Earl of Mar in the burning of three of his houses in the Highlands by the Highlanders in rebellion to prevent garisons being placed in them, viz.:—(1) Braemar Castle, "a great bodie of a house, a jam and a staircase, being fyve storie high," which with the furniture, etc., cannot be replaced under £800 sterling; (2) the Castle of Corgarf in Strathdoun "consisting of a tour and jam three storie high," which will cost £300 sterling to replace; and, (3) the Castle of Kildrimmie, totally burnt and destroyed. It lies in the mouth of the Highlands and was a great building, surrounded with high walls. It will cost £900 sterling. Other devastations to his lands and tenants' sawmills, brings the whole up to £3,400 sterling.

The Earl of Seafield to the Earl of Mar.

1700, August 6. Whitehall.—I receaved the honor of your Lordships with that inclosed you receaved from the lait Archbishop. I shal be verie readie to interpose for on in his circumstance, bot I confess, I love not to be threatned to it. I have done nothing in that mater bott at his oune most earnest desire. Your Lordship may remember that he was under a sentance of banishment long or I was Secretar, and a week after I entred on this station I was acquainted of his being imprisoned, and till then I knew not that he was in England. The Earl Tullibardin and I wer appointed after the King went abroad that year to speak with and interrogat the Scotsmen wer prisoners. This was when the plot of assassination was discovered. The Archbishop spok earnestlie to both to use our

endeavours for his liberation, and having compassion to him, having found his prison verie bad we wer both readie to interpose for him; and he having both written and sent his chaplain to us desiring to be in a confynment at Northfolk, we did, with importuning the Duke of Sreusberrie, obtain his liberation, for which I had frequentlie thanks from him; and then att his earnest desire, and he having not only writne but sent his son to me, I procured his banishment to be takne off; and he was aloued to return to Scotland bot under confynment. For this I receaved his thanks. And afterwards I consented to the alteration of his confynment; so why I should be threatned as if I had acted illegalie, I know not, and he mistaks me much if he thinks that method would prevail with me. Bot after al, I know him to be a man of good sense and I am sorie that he is in thos circumstances, and I shal not be against his applying to the Councel; and I am sure if he is illegalie detained, he will be sett at libertie; and I shall wreat to none against him. . . . I have read over what he wreats to your Lordship. If he expects that will interceed for him he will send me a coppie of that letter he sayes he hes of mine and shou your Lordship the principall.

The Marquis of Annandale to the Earl of Mar.

1701, March 26. Holyroodhouse.—He is going to Coupar, not so much for the races as to be with the Earl; and on the way he is to spend a night or two with Durie. "Our frinde Argyle, you kno, parted from thiss above a fortnight agoe. I beleive he may yett be in the north off England. He did expect leave to goe to Court and wes nott weell pleased when he left thiss place. You have no doubt had a particullar account off our famous Taliduce. Wee were verie briske upon itt at the beginning and nothing could stand befor us. Butt now our courage begins to coole and our hearts faile us after our ordinarie manner. I am told our great man heare is mightillie offended that he should have been called by a macer with mace in hand. I beleive indeed itt did a little mortifie bothe his Grace and his confederatte Marquise. Itt were good we wold stick too and follow outt suche stepps. The Government might by degrees att last recover the authorittie and respect that is due to them."

The Earl of Mar to the Earl of Seafield.

1701, October 17. Alloa.—Enclosing a humble address by his Majesty's Commissioners of Justiciary of the Southern District for securing the peace of the Highlands, signed at Stirling on the previous day, in which acknowledging "the many signall deliverances procured to us by your Majestie from the imminent dangers which threatned our religion, lives and libertys, and the profound peace Brittain enjoyed under your Majesties auspicious and happy government when at the same time our neighbours abroad were embroyled in a long and bloodie war," therefore they renew their former solemn assurances "to stand by and

assist your Majestie to the outmost hazard of our lives and fortunes against the pretended Prince of Wales and all others, your Majesties enemies." *Signed by* MAR, convener; BUCHAN, DUPPLIN, RO. STEWART, JO. ERSKINE, ALEX^R. HOPE, JA. SMOLLETT, JA. HOLBOURNE, JO. ERSKINE, TOB. SMOLLETT, FRANCIS NAPIER, WM. LIVINGSTOUN, C. CAMPBELL, p; A. DRUMMOND, J. BRUCE, JA. SPITTELL, J. CAMPBELL, J. ROLLO, RO^T. BUNTINE, WILL. CUNINGHAME, J. ABERCROMBY, A. CAMPBELL, COLINE CAMPBELL, JO. GLAS.

THE EARL OF SEAFIELD to the EARL OF MAR.

1701, October 25. Whitehall.—Acknowledging receipt of the address from the Commissioners of Justiciary which he will present to the King. There has also been one received from the town of Edinburgh. He wonders that any should oppose such a thing "when it is so proper, and I may say necessarie, to leat the world see that the King of France ouning the pretended Prince of Wales has no influence on us unless it be to adher mor closlie to the interest of his Majestie, who under God delivered us from the great dangers to which our religion and liberties wer exposed."

HARRY ERSKINE to his brother, the EARL OF MAR.

1702, August 5. Breda.—On Thursday last we got a verry suddin order to march hear to reinforse thise garrishon, for they wer affrayed of the French atacking it. The French army is all about thise place and the Buss. They have plundred all the mayerie of the Buss. We dare not stir out half a meile from thise place for there is not a villiage all round but hes a French partie in it. Two three dayes after we left the Buss there was a designe to blow up the great magazine but they wer discovered. The Buss is a verry disafeckted place, for the most pairt of the burgers incline more for Spean then the Steats. I belive by thise teime they have made a purge of all such as they suspecketed to be that way inclinned. There is just now a great desershion in the French armie. There was last week 300 in one day came in the Buss, for they say they get nether pay nor cloathes. Yesterday Collonell Row got a letter from the camp which brings the following acount from the camp at Everberg. August 14 N[ew] S[tyle]; On Saturday the armie marched from Peer and came back to thise camp as laying more convenient with reguard to the present situashion of the enimy for covering as well our convoys from Mastricht and the Buss and the seage of Venloe, towards which place ten batalions of foot, four English and six Dutch, with 17 squadrons of horse wer detatched thise morning under the command of Lieutenant-Generall Fagill. My Lord Kuts commands the English foot as Major-Generall, and Brigadeer Hamilton under him as beeing his Brigadeer; Collonell Webs, the Lord Belhemoars, Sir Matheu Bridges and Brigadier Hamiltons regiment; the Earle of Huntington, the Marquess of Lorn, Sir Richard Temple, and

the Master of Stears are gone with them as wolntiers. The Steats Generall have sent to the Prince of Nassow to repair forthwith thither to command in cheiff, and Lieutenant-Generall Couborne is to carry on the seidge under him. The place is to be invested by the Baron de Hyden, who commands the Prushian troups, and is to be joynned at the seige, besydes what are marched from hense by some batallions out of Nimwegen and the Grave, so that we reckon there will be about 40 battallions and fiftie squadrons at the seidge. The enimie hath devaydit there armie in three severall camps and lay between Bergeck and Eyndhoven. Last night we had a convoay of 300 bread wagins from Mastricht besaydes 100 we expeck to-day, and yesterday the Earle of Albemarle was detached with 20 squadrons of horse and dragoons to cover a great convoay of bread and mony for the armie from Borselduce. We have put 200 men of the garishon of Mastricht into Greivenbrock under the command of a lieutenant-collonel, and a battalion of foot, a detatchment of dragoons into Brey. Lieutenant-Generall Shultz is to martch thise afternoon with fouer battalions and siven hundred horse and dragoons for atacqueinge of Weat which layes now heheind use.

HARRY ERSKINE to his brother, THE EARL OF MAR.

1702, August 30. Breda.—Your have heard ear thise teime how Huls went. The Marquis de Bedmar thought to have carrayed it at the verry first and so been master of the Dutch Flanders, but they wer most breavely repulst. They lost about 2,000 men, I mean killed and wounded, in Antwerp. When they see any of the people that hes been at Huls they poynt their finger at them and calls them Kikouts, which is the neam of the fort they atackt so often and wer so breavly repulsed. I need not tell you any thing about the two armies canonading one another for I see the acounts of it just now in the English prints, and likwayes about the battel in Italy whear they beat the French to the divil; and yet with what confidence the Parise Gazet gives an acount of that battel. But they are in the right of it to give there people some incuragement that way be it trew or fals, for I think the French are layk to spend thise campaine but verry indifferently. As to Venlo, our troups atacks the on sayd and the Prushians the other. We heard thise day that Couborn is causing all thing be made reddie and wont faire a shot untill all things are in good order, so that its thought when once they begin the town wont keek out fouer dayes. They have weated all thise teime for their cannon comming from the Grave. They have made their works so heigh that they can see into the midle of the market place. He that comanded in Kayserswet comands there now. I cannot posatively tell you what is becom of Lando, but they talk hear thise two three dayes that they had taken it by storme; but we want the confirmashion of it, but thers nobody doubts but it is taken by thise teime. They talk leikways hear that the Duck

of Bevaria is to joyn the Emperor and that the Sweds and Polland are at peace. We expeck to get the shure acounts of it to-morrow and likeways to hear of Landos beeing taken. Before we left the Buss Lord Mark Ker came there in hes way to the armie. He got safly there, but two three days after he had got to the armie hes Lordship thought fitt to take the air without the leine, where he met with a French partie, and not knowing them but that they had belonged to our armie he road up to them with hes wonted air and spok English, and imediatly hes Lordship was grupt and supt in steat that night with the Duck of Burgandie. He calld himself on of my Lord Marleborrows edicanques, which whenever my Lord heard he reclam'd him. He stayed there some days and was breavly intertin'd and was sent back with a guard from the Duck; but a little before he went away the Duck comended hes horses and the captain of the partie hes watch which you may be shur upon the first asking would all be granted. And now hes Lordship by hes own teall is mightily pleased with hes beeing taken, for he hes the honor to be particularly aquented with the Duck of Burgondie. Everybody hear is mightily pleas'd to hear of the Duke of Ormonds landing and the good suckcess he is leik to have. I wish from my heart we wer all with him.

Archibald Row to the Earl of Mar.

1702, $\frac{3}{14}$ September. Breda.—The regiments not goeing to the campe this yeare affoorded use but little newes, att leeste too laite to send to oure freindes. Any that I thought coulde be acceptable I acquainted your brother. I ame not sorey now we have stayed in garrison, for there hes been noe actione nor is there any likelyhood of any, the enemy not being in a condition to attaque use, and we shall be contented with the taking of Venloe, perhaps that Rooremond may fall too. We misst once this yeare to have given them a blowe; they coulde not risen agane in haste. But my Lord Athlone and the States were aganst feighting. We had all the advantage a tired, disorderly and inferiore armey coulde give to good troupes. My Lord Marleburogh pressed it verey muche. They saye the Duke of Burgundy is retourned to Parris on pretence his father is ill, but its thought because he will not be witness to the taking Venloe. He hes seen noething for his coming but running awaye. Prince Eugane hes doun like himselfe in Italye, and we baffled the Marquis de Bedmon, Monsieur Lamott and Monsieur Voban att Hulste, in attempting to take a little fortt they call Keeke oyte. They were forced to retire with the loss of above 2,500 men, a 1,000 of which laye on the spott; its not soe bigg as Milnes Squaire.* My regiment had orders to goe thither, but they stayed not to lett wse get aney honnoure by it. . . . . We have now a good many sicke, but more burgers dyes then souldiers.

* A small old-town residential place in Edinburgh.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1703. January 29. London.—The Duke of Queensberry has obtained for him a tack of the Lordship of Stirling for the lifetimes of himself and his future spouses, and his heirs for nineteen years after the death of the survivor. Their family is really much indebted to the Duke, and all of them ought to do everything possible to serve him. "As for news, you know eer now all our great changes in Scotland. We hear some people there acts an odd parte, and are resolved not to pay the cess without quartring, which they'll find foolish in a little time. I belive you'll have more news with you than we have here of our Scots affairs, and that Presbitry is to be ruin'd; but if they cairie prudently and calmlie themselves I belive they'll be saif enoch. Our Parliament is likely to sit in Aprile, but no body can be yet certain of it. For my own shair I'm very well just now at court, but you know that's a sliprie place. The Union succeeds pritty well, tho slolie. I belive they will conclud most of the articles, and realie the English are fair enoch hitherto. By all appearence they will bring it such a lenth (tho it cannot be just now concluded) that the two nixt Parliaments will see if practicable, if they have a mind to it. I'm affraid we spoill it ourselves; but by what I can learn the generality of the English nation are for it, and some time or other we'll have it. There has been a great strugle in the two Houses of Parliament here about the Princes Bill and the Bill against occational communion, both which are laid aside for this session. The difference betwixt the Whiges and the Tories run very high—where it will end 'tis hard to tel. 'Tis talkt the expidition to the West Indies under Peterborow is laid aside, but 'tis not yet certain."

THE DUKE OF HAMILTON to the EARL OF MAR.

1704, April 11. Preston.—I belive yow are convinc't by this tyme that what I told yow was trew, for it's now publick—that Duke Queensberry comes doun to Scotland to assist the present projectted measures. His freinds are the best judges how much this is his interest; but I from the begining belived it would be soe. For the others I don't know what they thinke of their places, but I belive they'l follow Johnstons fast, who is now turned out. I intend to be with yow two or thre days befor the Parleament sits doun if the meeting houlds the 3rd of May.

THE EARL OF MAR to his LADY.

1704, June 16. Edinburgh.—Stair is arived this night who sent me word just now that he had bussiness from the Duke of Q————to speak to me which could not be delay'd . . . The Parliament is adjourned til the 6th of Julie, but people are not yet certain if it will then sit. Ther's no other news here, so I have not wryten to your father. It seems all is delay'd to be declaird till your unckle come down. People pays court to me upon his account. I wish they may not find themselves

mistaken. . . . . I've sent you Saltons new book and a famous Torie poem to help to divert you. I saw Salton to-day. He askt for you. But he's as ill pleased with our new courtiers as he was with our old. Loudoun goes west from this to-morrow for his lady.

THE DUKE OF QUEENSBERRY to the EARL OF MAR.

1704, July 1.—He has received his letter of 15th June and does not doubt the sincerity of his friendship. "I nether know the measures of the new governours, nor is it my bussinesse to medle. What toutches nearer is that I believe theire cheife designe, and probably at theire first meeting, is to attack particular persons. Noe doubt you know who these are. In this case the best service our friends can doe is to stick together and give constant attendance; and if they doe soe I can [not] believe that the attempts will be great, or if they should, that they will be able to cary theire point. Soe nothing is soe necessary as diligence and union; and if they are dissapointed in this, and other matters faill, wee may soon see the face of affaires alter to our advantadge. I know yow will shoe this to Loudoun, therfore I will not trouble him with a repetition. . . . . Pray let me know freely how those who formerly professed kindnesse to me doe now carry."

THE DUKE OF QUEENSBERRY to the EARL OF MAR.

1704, August 1.—My own dear Mar, I receved yours of the 22nd July which was very acceptable, and gave a full and exact account of the procedure in affaires there, in all which I doe intirely approve of your conduct and am of your oppinion that some who were here last winter might have been so far in honour ingadged for the succession, and it being likeways thaire principall, that they could not well have voted otherwayes in that matter then they did; but in other things wherin the successe of the Court was only to establish the new ministry I cannot yet see a good reason whye they concurr'd to make them goe easy. I have not had letters from anybody to give any reason for what has been done of this kinde, so till then I shall suspend my judgement a litle. Its some surprise that my Lord Montrose and his people have voted as they did. His doeing evill that good may come of it, as his councellor told you, is a vew verry remote for his Lordship to have, and I can assure him its as needlesse as it is ungratefull. However, I hope you may prevaill with our friend Stair and his famelly to ballance the others, for they have little reason to help affaires to succeed in your unckle Johnstons hands. I know noebody that has better interest with them then you, which I doubt not you'l make use of both their and everywhere else; and let noebody be carried away with fair words. I observe the first meeting of Parliament is for private bussinesse, and that my Lord Montrose's concern comes in the first place. Possebly when that is over he may be the easileir brought to his former byas, and you may again assure

him or his governours that I have noe thing lesse in my head then what they seem to apprehend. By yesterdays news I finde you have not been able to tack the Securety to the Cesse Acts, as you seemed to think in your last, and I'm told your Court would fain make people beleive here that they have got a victory by carrying Lord Roxburgh's proposall against Lord Rosses; and they hope by the same streingth to carry that the two pointts should be separatly considered. But in case this should faill perhaps some instructions may be given to grant some limitations, and so by composition to procure the six moneths cesse without the Act of Securety as it stands. Therfor you wold take care to have your friends rightly apprised of this that they be not taken off in the intervall, and be at pains both to have them well conveen'd and firmly united to your former resolution.

You desire to know how the dissapointment of the Succession was relished at Court here. But I must tell you that since my being dismist her Majestys service I have not been there but once; for first I thought that my goeing might be considered as if I was either come to insult or to observe what they were doeing. On the other hand I thought it might doe prejudice to bussinesse with you by giving jealousie to some who you are at present joyned with, as if I either had interest or was making mean courtship to bring myselfe in again, which I never intend to doe. I hear, tho, from some who have often occasion to be at Court that they could not conceall a good dale of dissatisfaction; but our new governours will easely find good reasons for that dissapointment; and it not being verry certane how sincere our great people here are in that matter, verry plausible pretences may pass for good reasons. But if they faill in the supply it will be a far greater dissapointment and will shoe to every body the weaknesse of the present undertakers; so you ought to bend your wholl strenth there. You will know befor this can come to you (Mr. English haveing been sent expresse two or three dayes agoe) if theire be any resentment yet shoen for what is past. If theire is, I hope it will be generall. I think you advised Morton right; but if you have occasion for him afterwards, you need not fear his actings can doe prejudice to me, for I have little to manadge here. Now, my dear Lord, I shall only add that I am verry sensible of your friendship and shall allwayes value myselfe upon it. When I was in imployment I had noe other design but what I thought was for the interest of my country and to assist my friends with my best services, and all I wish for, now that I am out, is to be able to live quietly like a gentleman at home and sometimes to divert myselfe with my friends.

The Duke of Queensberry to the Earl of Mar.

1704, August 15.—He has received his letter with the list of the Parliament, and approves of his procedure. When the Parliament rises it might not be amiss if the Earl "make a tripp hither, for before that I hardly think any measures will

be taken either in rewarding or punishing. As to what you doe so kindly write concerning myselfe of my being of your great Commission, I confesse I am of your oppinion, but since it has been moved I must expect to hear of the event to-morrow; and goe now as it will, it gives me fresh proofs of the obligations I lye under to soe many honourable and worthy persons, which I shall ever have a gratefull sens off, and shall not be wanting to make sutable returns if ever it is in my power. I doe truly think that since this was only a complement (and one that probably I shall not spoill) the D. of H. needed have opposed it with so much heat, after so many of my friends and relations haveing hitherto join'd with him and without whom he could not have made so good a figure or carryed what he did; and I had such accounts of his faire and easie procedure towards me both from my brother and others, that I was resolved by this post to have signfied my sence of it, either in a letter to himselfe, or to have troubled your Lordship with a message to him. But what I hear of his carriadge this day sevennight takes away all his former merit. However, I wish matters may be soe manadged that this may not be the occasion of Duke Hamilton or any of his parties joyning with the Court and get them a victory at last, which yet they have had noe great reason to bragg off. And for this end pray be earnest to keep all our friends in town till the Parliament be up, especially my Lord Staire, who talks of goeing to Galloway, which if he and others should doe, some advantadge will certanely be taken. Therfore its not good to be too secure, and now I hope a little time will end all."

THE DUKE OF QUEENSBERRY to the EARL OF MAR.

1704, September 14.—. . . . "As to your coming hither at this time I think if you are but a little inclined to the journey you have a very faire pretence; for being in such posts in the Queen's service and differing from her Commissioner and other servants, you cannot expect but they will informe the Queen of it, and unlesse you are better stated with them then I fancy you are, they will hardly give good reasons for your doeing so. Therfore I doe truly think your being here verry necessary, both to prevent any misrepresentation of your selfe and to give a true account of the weaknesse and mismanadgement of the new ministry. And if you come at all, the sooner will certanly be the better, for it will be too late when determinations are taken and the last turn given to affairs; for that will be done upon the representations that are made. For don't think that ther will be publick modelling or trying how things will goe when they are soe and soe sett together. The method will be that after the ministry here has inform'd themselves from as many as they think fitt, or from those who will offer theire oppinions, then the resolution will be taken privately and executed at one blow; and then it will be too late to say that theire was either want of information or wrong information; and possebly people who

may finde fault will be told that in some measure they have themselves to blame. A verry short time here may be sufficient; for after you have honestly and freely laid before the Queen and her ministers the state of the country and of her affairs in it and the sufficiency or insufficiency of the manadgers you have accquitt yourselfe both to her Majesty and your country. . . . If you doe come up I think you should part verry friendly with the two Dukes and know as much as you can theire thoughts both as to publick affaires and private persons, and what part they intend to act themselves with relation to both. . . . I come to the proposall you make concerning me. You know my temper is to live peaceably and quietly and I shall be verry willing to doe soe with those noble persons you mention if they will doe the same with me." He has no intention of coming again forward in the public service, and has but twice since he left it spoken with the Queen. The Court will make no sudden change, but patch up as much as possible to cover their own mistakes. If the other two will do the same he may engage not to take office, but not otherwise, and they need not think that their not "prosecuting of the plott" has any weight with him. "If men have been rogues and either said what they ought not to say or said more then they ought, it's none of my fault." He has nothing to fear from any inquiry; and is strongly of the impression that the present managers have at bottom an understanding with the Dukes of H. and At. (Hamilton and Athole).

James Johnstone, Lord Clerk Register, to the Earl of Mar.

1704, October 7. London.—He has received his letter of the 26th. "As to bussiness, could I shun saying anything of it I would doe it, for how will you believe me when I tell you that it is to be determined next week, and that I know very little of the matter, nor indeed are any resolves fixed that I know of. The Court did not open themselves to me, and indeed to tell you freely I shun bussiness as much as I can; but we are all to know their minds next week. I have not been half a quarter of an hour with the Treasurer, and spoke neither for nor against any man to him. He was ill and is now at Newmarket. Then in toun I hear that all opposers are to be turned out; but the same persons tell me that Cromartye and myself are to be out, he upon his brother's account and I upon my relation's account. Cromartye seems to believe this himself, and I reckon to be not long in; but in this I shall not differ with the Court, and I may do better out for myself. But I write this only to yourself for all is uncertain; if not that some will be turned out for example; and the reason I told you. Queensberry's people are positive in this, but I doe not know that the Court has told any of us anything of this. I doe not hear that Queensberry is to come in, but that Roxburgh may be one of the Secretarys, and one of Queensberry's people the other, if Cromarty goe out; but unless that be one that Roxburgh likes he will not accept, for he is not fond of the place. What Tweddale and others will be neither

they nor I know. The Whiggs say that I and others were in a juggle with the Dukes and you and Diplin; and nothing can be invented that is not said of us all. As to yourself, if the Chancellor and I can serve you, you may depend on it we will doe it, and Coulter tells me that Argyle will joine, which if he doe, we will pervaill unless the Court proceed by a rule which you may remember I alwyse apprehended; and I fear, too, we shall not be consulted in the matter, for that was a measure laid doun long before I was in bussiness, and never spoke of to now; and the Court asks no information from us nor seems disposed to receive any, as if they too thought that we had been jugling. As to news the letters from Paris own that 40,000 men are wanting of the army at Hochstette. Vendome asks 24,000 recruits and his brother 8,000. Then the Armys on the Rhyne and in Flanders and Spain, and the garrisons will at least as they compute require 40,000 more. That is, I think, 110,000 recruits to be the same in number they were in May last. Thus its evident if the confederats be wise they will have what peace they please. Adde to this that we are considered here as a parcell of Jacobits or madmen, and use your own thoughts. However, we will have tyme, I hope, to think on it, for there is an apparent disposition to a revolt in Flanders, so that I doe not see how the French can spare men for Scotland. And the letters from Paris bear that their Court repent themselves and they fear now (they write) that men of interest or thought in Scotland will not join in case they should send troops. I was surprised with some circulations I met with [in] Scotland; but these notwithstanding your Lordship sees I write to you with all freedome that you may have matters before you and take the wisest measures you can for the interest of your familye, which and yourself you will find me ready to serve to the utmost of my power."

The Duke of Queensberry to the Earl of Mar.

c. 1704, October 12.—Our Parliament will meet at the time to which it is appointed, and [I] beg therfor that your Lordship may make all convenient haste hither. Our ennemys are gathering, and so its high time for us to beginn to be active here. I have verry good hopes of maters if wee be unite and dilligent, for to my certane knowledge the eyes of several people are opening. I am verry much convinced both of your zeall for his Majesty's service and your kindnesse for me.

The Viscount of Dupplin to the Earl of Mar.

1704, December 17. Dupplin House.—My Lord, I have read all your letters and copies of letters. I think yow are very much in the right to goe to Court that you may understand hou maters goes. Ye will there both gett advyce of your freinds and be better capable to judge your self after ye understand the stait of afaires; for if all be treu that's talked, Mr. Johnstouns court

is not so great, and upon his the whole pairties depends. I observe one paragrafe of Argyles letter to you says that their will be alterations in our Scots bussines. I suppose he means in the ministrie before the sitting of the Parliament. He lykways ads that they must be better becaues it is impossible they can be worse. I am much of his mynd. I had yisterday a lyne from Mr. Wood, whose at Edinburgh. He says that it is very confidently talked that Mr. Johnstoun is in disgrace and Seafeild is to get his place as Register, and your freend, Laudon, to be Secretarie; in which caise I think ye could not but meet with a cast of favour. My Lord, upon the whole mater I think ye ought not to be rash in demitting or in letting it be understood that yeare not ready to goe with your regement abroad. By all apearance maters can not stand as they are, and what ever way they turn ye will be more favourably sircumstantiat. Youre bussines can not be done without some of the four Ducks, and I think you are very weell with all. Wherfor I cannot but again advyse you to let natoure worke and to advyse weell before ye demit. Your having a regement does not hinder you from getting ane other post in the government. I am very soor to have a regement to give in leu of another post is better than to have no thing.

The Duke of Argyll to the Earl of Mar.

1705, May 15. Holyroodhouse.—I have advice from Court that St. Paull is come out of Dunkirk with five or six men of warr, haveing on board arms, ammonition and mony to be landed in Scotland Therfore I desyre your Lordship will goe imediatly to Stirling Castle and put things in the best posture may be and remain there till yow hear from me. If you have any officers of your regiment absent, pray order them to their post. I am, my dear Lord, your most obedient humble servant, Argyll."

The Earl of Seafield to the Earl of Mar.

1705, May 15. Edinburgh.—My Lord Commissioner has by the inclosed accquainted your Lordship that ther is intelligence from the Court that St. Paul with some ships is sailed from Dunkirk for the coast of Scotland, and caries armes and ammonition and officers. What ever may be in this it is necessarie to be on our gaird. Your Lordship will no doubt take cair to have the Castle of Stirling in ass good condition as is possible, and you may accquaint my Lord Commissioner with what you think most necessarie. Noe doubt you will obey what orders his Greace may have sent. I doe think your Lordship should imploy some person you can trust to get intelligence from the Hilands what they are doing; and if anie landing be, I doubt not bot your Lordship may doe acceptable service to the Queen and the countrey. I thought this short advertisment necessarie. I believe the Commissioner may not communicat this to the Councel till he hears again from Court.

THE EARL OF MAR to his LADY.

1705, July 16. Edinburgh.—To-morow will be a decisive day, I believe, in Parliament, and then we'll be bussie upon what cairies, either Treatie or Succession. We have trifled all this time. There's one Act past against importing Irish or English butter or chise for useing in the country, but alowed for export. This Act will probablie be keept as the rest of our Acts are. Thers another Act brought in by the Duke of Athole discharging the importation and wearing muslens, holands and all kind of forayin linning. We have been twice upon this, but perhaps it will not pass. Laws paper project was spoke of in Parliament, and some words past betwixt Roxbrough and Salton. After the House was up Salton sent a challenge to Roxbrough by Lord Charles Ker. They wer laid in arest by the Commissioner; but nixt morning they stole out and mett in the sandes of Lieth. Jerviswood was Roxbroughs second, and Lord Charles the others. The Commissioner sent the gairds out after them, but before they mett with them it was taken up by Lord Charles means, and Jerviswood joind with him in the proposall; so ther's no more of it. Lord Charles is on the tope of his marriage. If they had fought it had been unluckie to him. . . . . The Duke and Dutchess of Queensberrie are on the road, and will be here Saturday or Munday. This is like to be a hote day in Parliament.

THE EARL OF MAR to his LADY.

1705, August 23. Edinburgh.—Yesterday the Act for a trienniall Parliament was past, and we sit to-morow, when we are to propose the cess. But the Duke of Athole is to bring in the Plot, as we are told, to have a hitt at the Duke of Queensberrie, which, if true, will make it a day of scoolding. I'm affraid there will be some personall reflections which may occation some quarrels.

THE EARL OF MAR to his LADY.

1705, August 25. Edinburgh.—The Duke of Athole yesterday brought in the Plote. The 3d sederunt nixt week is appointed for takeing that affair into consideration. The Duke of Athole did this against all his friendes advice, and he will not find people to follow him in his humours in this bussiness. The Cess Act was offred and a first reading creaved to it. There was a great dale of debeat about it, and at last Rothes offred a proposal to this purpose—that the House should agree to give it a first reading, and immediatly therafter to go upon the Treatie and such acts of trade as relaited to it before the Cess Act was read a second time, and also such other acts as was needfull. The Dukes of H. and A. joined in this, but the Court opposed it, for the last clause being so generall. So at last Rothes withdrew the last clause, which angered the two Dukes mightily. Salton offred a clause, much to the same purpose of that which Rothes

withdrew, to be added to the proposal, and it was put to the vote, Add or no; and it cairied in the negative by 38 votes. So the Act of Cess got a first reading, and this day we are to be on the Treatie.

The Earl of Mar to his Lady.

1705, August 30. Edinburgh.—On Tuesday the Parliament was taken up the whole day about the Treatie, and at last it was agreed that the Act I presented a good while agoe shou'd have a first reading, but with that proviso that it shou'd not pass at the second reading. Since people came to no capitulation of this mater, I'm affraid tho it pass it will be ineffectuall the way they'll make it. It is probable there will be a clause in it that we shou'd not enter upon the Treatie til the English reshind the Act they made against us last year. If this make them do it I'll be glad of it, but I'm afraid it is not the most probable way, and our commissioners will not go from Scotland certainly until they know whither or not the English will do this. We are to be on the Plote this day. What will be made of it, the Lord knows. The Duke of Athole last night desired to speak with me this morning. I fancie 'tis some proposal he has to make about it. I'm just going to him.

The Earl of Mar to his Lady.

1705, September 7. Edinburgh.—Bussiness here has taken a mighty turn since I wrote last. Contrair to our expectations the Treatie has cairied as we had a mind, the Act I presented not haveing almost a word altred. The Queen has got the nomination of the treaters, and the Duke of Hamilton proposed it first, which has made his pairtie mad at him. The House has ordered that the Treatie shall not comence until the clause in the English Act makeing the Scots aliens be repeald, and thereupon hes adrest the Queen. We cannot yet be sure if the English will comply with our desire, tho we hope they will, and if they do, perhaps a London jurnie will be my fait. . . . . If I go, you shall too if you have a mind. . . . . If all hechts had you and I will live more at London than we expected. I can wryt no plainer; but you must keep even this to yourself, else all wou'd be spoilt.

Sir David Nairn to the Earl of Mar.

1705, September 29. Windsor.—By this flying pacquet I send to my Lord Commissioner a commission for your Lordship to be Secretarie of State in place of the Marquis of Annandale, who is removed to his former post of President of the Council. I presume to wish your Lordship all satisfaction in the imployment. I shall contribute all I can to make you soe as long as I am allowed to serve in the station I now doe.

The Earl of Mar to his Lady.

1705, September. Edinburgh.—Wednesday night near 12 o'clock. You'll see by the incloased what vexiation I was in this morning. I mist the Commissioner when I went to the Abie, and I dined at the Duke of Q———s. When I was there at dinner the flying pacquet came, which brought a comission for the Marquess of Annandales being Precident of the Councill and another for my being Secretary in his room. The Comissioner goes on Saturday or Munday at furthest. There's a letter also from the Queen ordring the Comissioner, the Chanceler, the Duke of Queensberrie and the two Secretaries to come to Court, and that all the rest of the Queen's servants stay here until call'd for or alowed to come. . . . . The Marquess of Annandale sayes he'll accept of no comission until he see the Queen, so I believe he'll go away one of thirr dayes if he be not better advised. My comission is to be read in Councill to-morrow, else I had left this place before Frayday.

1705, October 4th. Edinburgh.—Commission by John, Earl of Mar, to Mr. James Erskine, advocate, his brother german, to be principal keeper of her Majesty's Signet under the granter.

The Earl of Mar to the Lord High Teasurer of England.

1705, October 4. Edinburgh.—Since the Queen has been pleased to make me one of her Secretaries I presume to give your Lordship the trouble of this. I must acknowledge that I am sensible of my own insufficiencie for that post, but I hope in some measure to make that up with my faithfullness in serving her Majestie and in being diligent in my post, and in doing what may be most agreeable to her. It is my misfortoun that I have not the honour to be knowen to your Lordship, but I hope now in a little time that will be taken off. I am singularly bound to your Lordship for not being preposest with the bad oppinion of me that I have some reason to think certain people were pleased to give your Lordship of my actings. You shall find me alwise sincear in serving the Queen, and in the manur and measurs her Majestie thinks fit; and your Lordship shall find me also your most faithfull servant. *Copy.*

The Earl of Seafield to the Earl of Mar.

1705, October 7. Edinburgh.—He had not determined about going to London till on hearing that Annandale was to take journey to-morrow; at the desire of his friends he will also go this week. "I have not seen him, but I hear he is verie angrie, and it is like he may ingadge in a neu pairtie and misrepresent our measurs. If the Queen continou firm in what she has done he will soon submitt, but if he is incouraged, he will rais his pretensions of this."

THE DUKE OF QUEENSBERRY to the EARL OF MAR.

1705, October 8th. Edinburgh.—He has learned that his daughter Mary has taken the small pox at Durham, which gives him some concern. "The Marquis of Annandale went this morning from this for London and was yesternight with me sometyme. As he says, he only goes to vindicate himself, and to know off the Queen a reason why he was so summarly transported, and is not to accuse any, if your Lordship take his word for it. The Chancellor and my Lord Loudoun were with me also yesternight."

THE EARL OF LOUDOUN to THE EARL OF MAR.

1705, October 25. London.—The Commissioner came here upon Wednesday. He and I kissed the Queen's hand that evening. "Her Majesty had thought fit to delay from time to time to see my Lord Marquis, but had promis'd that he should kiss her hand that evening. He came into the waiting room while my Lord Commissioner and I were waiting to be admitted. Wee had the honour to talk with him about indifferent things. Her Majesty first called the Commissioner, nextt me, and last of all my Lord Marquis." He thinks there is little to be afraid of from his Lordship. To-day the Parliament met, the Tories setting forward Mr. Boombey to be Speaker, and the Whigs and the Court, Mr. Smith. The latter carried it by 43 votes. The Queen is to make her speech at the next meeting, and, it is thought, will take favourable notice of the advances made by Scotland towards a Treatie.

JOHN, BISHOP OF GLASGOW, to the EARL OF MAR.

1705, October 30th. Edinburgh.—He sends a memoir for the Queen's perusal with reference to the provision for the bishops. "I am not willing," he says "to mention the manie good services I did to the Crowne and the Churche in the reignes of King Charles 2d, and of the Queen's royall father, but I may tell your Lordship that since her Majesty's happie accession to the throne I have by my example and influence brought manie both of the clergy and laity to their duetie to her Majesty who could never be persuaded to owne King William. I procured a dutifull and loyall address from above ane hundreth of our clergy to her Majesty, and have engaged most off these to keep evrie week a day off fasting and prayer for the health and saftie of her Majesty's person and the prosperity of her government, which they still observe." All the bishops but himself have a yearly allowance from King William and the Queen, and he hopes her Majesty will show him some favour, as his circumstances have been misrepresented, and he has a numerous family of children.

JOHN, BISHOP OF GLASGOW, to the EARL OF MAR.

1705 . . . . . In the account of the bishops' rents which is to be placed before the Queen by the Earl, the bishopric of Orkney has been omitted. He urges him to press

her Majesty for their relief. "The Earle Kinkardin is dead, and which is a much sadder death, poor Earle Balcarres is dead also; and his familie must perish unless the Queen proves kynd and gracious to his sone by continuing the pension granted to the late Earle." . . . "The diabolicall effects of that cursed wyne, drunk with Lieutenant General Ramsay, hath also broght death to Earle Balcarras. Oh! Sadd! God be praised your Lordship got so litle of it." Iff it may consist with your Lordship's conduct I wold know how M. Annandale is at Court, and how his effairs stand. Your Lordship is sure that quhat you sall say to me off it sall never be knowne to anie other bodie living. I am sure you trust my word and secrecie.

THE EARL OF MAR TO HIS BROTHER, MR. JAMES ERSKINE.

1705, November 6th. London.—I got a very good reception here notwithstanding of your Edinburgh news. As for my predecessor I'll say little. You'll hear it from others. Only I belive he will not be much the wiser for comeing here. He still holds out as he did and nobody is pressing him hard to accept. He visets none of us, but t'other day he was pleased to take me by the hand on the Mell. The English, I believe, are not yet positivly resolved what to do in our affair as to their act, tho' in a little I hope they'll do as we desire. Ther's little news here. The Tories are very angrie and the Whigs very well pleased.

THE EARL OF CROMARTIE TO THE EARL OF MAR.

1705, November 17th.—He has not been paid his arrears of salary and desires the Earl may speak for him to the Queen. "My Lord, a man without doors can say litle to purpose of the publicke transactions, and I never was, nor will I now beginn to be ane intruder, that being odious to the General Assemblie and against both Claime of Right and Act of Parliament. Yet I may say over-ane old prayer of mine—God send a solid union in and of Brittaine; for I am sorly afraid and firmly perswaded that such only will secure Brittaine and deliver old Scotland from its many complaints. If England will give us free trade with them and theirs and take of the Act of Navigation—at least if they extend it to ships of Scots built—in so farr I should be pleased." He refers to the report that Lord Ross is to be made Earl of Ross, and says "It will be as great a cause of Highland disturbance as ever was affoorded in Scotland and may be of as long duration: and for eviting of such odious evils there is ane peremptor Act of Parliament be King James the 3d stating that none but the King's second sonne shall ever be Earle of Rosse; which made King Charles the 2d recall a patent given by him on that cause."

JAMES MURRAY, Lord Clerk Register, to the EARL OF MAR.

1705, November 20th. Edinburgh.—The Duke of Queensberry is in great grief for the loss of his child. He thinks the Earl of Glencairn is to get Dumbarton Castle, as his father formerly held

it. His Grace wishes his Lordship to remind the Queen of some secret disbursements he made when Commissioner, for which he had secret instructions, but which because of their nature could not be stated in the accounts with the Treasury. Her Majesty may trust him and order payment or not as she pleases.

Lord Dalrymple to the Earl of Mar.

1705, November 17, N.S. The Hague.—Intimating that he and the Earl's brother, Harry, are coming home. Wee have this day the news from twenty places in France that Barcelona is taken. The account is not yet very circumstantial, but every body believes it. Wee wanted that much considering the situation of our affairs, for the King of Prussia is mighty angry with the Emperor and the States. He has recall'd his troops from the Rhine and threatens the recalling those are Italy (sic); but 'tis hoped the Duke Marlborough, who is to return by Bedia, will have skill enough to compose that matter. His troops being recall'd would of consequence bring back the Danes, the Holsteins the Hanovers. I believe the Dutch will very hardly consent to the augmentation of troops. They are indeed much wasted by the war, and their affairs within are in great disorder; which I'm afraid will hinder their taking right measures as to the command next year. Things standing as they are 'tis to no purpose to have troops who do not depend upon one chief.

The Earl of Mar to the Earl of Cromartie.

1705, November 28th. London.—He has spoken to the Queen about the arrears of his pension as Secretary, and she has given order to the Treasury for as prompt payment as possible, but it is at present very poor. The officials cannot get payment of their own salaries. He will do all he can for him. "Your Lordship knows I am a McKinzie and their interest shall never suffer where I can help it." As to our affair, both Whig and Tory joyns now in it, though some of the Tories proposed to clog it with our Act of Securitie. Their frankness is a good omen to the Treatie, and I have reason to believe it will meet with little or no opposition in the House of Commons. I hope the repealling of the prohibitorie clauses of their act as well as that declareing us aliens, which we addrest for, will make people in Scotland better pleased and to hearken to reasonable proposalls of accommodation. I find here that no union but an incorporateing relishes. I know your Lordship has long thought that the best. I wish you could perswade others of it too. I beleive there will be greater difficulties amongst ourselfs after the Treatie to adjust then what we'ill have with the English in the Treatie betwixt us Your Lordship would be mightilie pleased to see the good disposition in everie body now here towards that matter, tho', indeed, it is but of late, for when I came here first I confess I allmost dispair'd of thair complyance with our desyre.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1705, November 27th. London.—I ordred Cleland last post to give you an account of what the Lordes did in relation to our affair. I was last night with some leading men of the House of Commons, and they are perswaded it will meet with very little difficultie in their house. I think this should be very agreeable news in Scotland, but peoples humors are so uncertain that I'll be glade to hear from you how it is taken by folks of different sides. . . . The reason of my being with those Parliament men last night was to assure them we were in earnest in this affair, which they were inform'd we were not, I mean Scotland. And the end of all was a bottle, which I'm now a great stranger to.

SECRETARY HARLEY to the EARL OF MAR.

1705, November 30.—My Lord, I received the honor of your Lordships letter and have sent a pass persuant to it. I had waited upon your Lordship at your own house to acquaint you with it, but that being so late this night attending the Queen at St. Jameses, it would have been unseasonable to your Lordship; therefore I will take some other time to do myself that honor. I am, my Lord, your Lordship's most humble and obedient servant, RO. HARLEY.

My Lord Tullibardin wil please to send the names of his servants to be inserted in the pass.

JOHN STIRLING, Principal of the University of Glasgow, to the EARL OF MAR.

1705, December 3. College at Glasgow.—Inclosing a memorial for a royal grant for reviving the suppressed Chairs of Humanity and Medicine in the University. Both these faculties and also that of Law had formerly existed there since the foundation of the University by King James the Second, and up to the Reformation, but from lack of funds they had been suppressed. No other University lacks a Chair of Humanity; and the writer has been assured that if that of medicine were revived there would be no lack of students, even from England and elsewhere.

THE EARL OF GLASGOW to the EARL OF MAR.

1705, December 4th.—The Earl of Stair, the President of the Session, my Lord Register and I, waited on his Grace [the Duke of Queensberry] and committed our thoughts anent the nomination of the commissioners for the Union into a memorial, wherin all were most unanimous, and Sir David Dalrymple, upon his review off the same, perfectly acquiesced. The memoriall is herewith sent to your Lordship, and it being full and plain, I doe not insist. There is also a list of persons quhich we thought fittest to be chosen and named by the Queen sent you up, out of which the Queen is to name. The Duke is concerned that the Earle of Weemyss should be named, he having made good advances to his Grace; and very particularly that the Earle of Morton be named, who is to attend his Grace, and that Mr. Clerk of Pennicook be one, who is a very pritty gentleman.

Rev. William Carstares to the Earl of Mar.

1705, December 11. Edinburgh.—Thanks for obtaining the pension for his sister (Mrs. Dunlop). "The procedur of the Parliament of England as to our affairs gives great satisfaction to those with whom I have occasion to converse, and I hope it shall make way for a happie settlement to our countrey. As for our ecclesiastick affairs I have nothing of moment to write about them, for we have such a sense of her Majesties goodnesse to us and the many advantages that we enjoy under her government that we are under no anxietie either as to the meeting of our Assemblie or as to a Commissioner to it; and we have not so few friends amongst our nobilitie as to confine our desires of a representative of her Majestie in an Assemblie to any one particular person." He knows of none of the brethren who are interesting themselves about any particular person, and they leave the choice entirely to his Lordship and the Earl of Loudon.

The Earl of Mar to his brother, Mr. James Erskine.

1705, December 20th. London.—Our bill is now past. I here send you a double of it. The Queen goes to the House to-morrow to give it the roiall assent, and also to the Land Tax Bill. The Parliament here have given for this year about five million seventie and two £ sterling, and this beside the old fonds for paying their debts. There were several debeats in the House of Comons on our bill, but after every body had given it over the Speaker keept it two hours from being approven, still insisting to have their clauses only suspended, but he was forced to yeald at last too. The Speaker is a comerad of a certain mans of our country who you may suspect. I cannot think he made him oppose our bill so much, tho' the world is wicked enough to give their frienship for the reason of it. It is now past by good luck, and we must own the English have done it in a very handsome maner, which I'm sure ought in reason to be well taken by Scotland. . . . You'll see by the votes for what Mr. Cæser was sent to the Tour. Show the incloased act to Stair, Glasgow, the President and the Regester.

John Stirling, Principal of the College of Glasgow, to the Earl of Mar.

1705, December 26. College at Glasgow.—There remains but 1,400 merks Scots of the Bishoprick of Glasgow indisposed of, and in expectation of her Majesty's munificence the masters of the College have resolved upon reviving "the profession of Humanity, and also begun a bottanick garden on the account of the other profession."

The Earl of Marchmont to the Earl of Mar.

1705, December 29. Redbraes Castle.—"I have with very much satisfaction had some accounts how affairs have gone in the Parliament of England since its meeting, particularly of the rescinding that Act which stood in the way of a treaty of union.

As matters now stand I conceived it my duty, as haveing once been of a high station in her Majesteis service, and was as then both ane observer how affaires move, and a wellwisher of her Majesties prosperity and success in her attempts, to wryte to her Majesty some thoughts of mine relateing to that great affair." These he asks his Lordship to read to her Majesty if upon their receipt he is in waiting, otherwise to give them to the Earl of Loudon to deliver. "I have kept my house in the countrey and have been nowhere from it since I parted from your Lordship, soe I have had time and leisure to think and consider what a protestant of my age that has a numerous posterity and many friends and kinred to leave behind me in the countrey where I am a native wold wish for, and to pray to God to countenance and influence her Majesty and her Councels in designeing and accomplishing what may tend to the honour, prosperity, and peace of her Majesty and of her people. I have knowen and esteemed you very long for the probity, worth and ingenuity I have ever discerned in you."

THE VISCOUNT OF DUPPLIN to the EARL OF MAR, HIS SON-IN-LAW.

1705, December 29. Edinburgh.—I wish ye may not be rash in being the first giver of the measour by which the treaters ought to be named. I am tould that sume heer advyse to make a pairtie bussiness of it and to name only those of our factione. Perhaps this may be the way to make a short treaty, whether successfull or unsuccessfull I shall not determine, but I believe it will be thought by many that it will nather be for the interest of Court nor countrey that the treaty be suddenly broke up, for it is impossible to forsee all the bad consequences that might follow upon it.

THE EARL OF CROMARTIE to the EARL OF MAR.

1706, January 1. Edinburgh.—On this New Year Day, many happy years are wished by me (and I am sure by many Scotsmen) to yow and your family; and (as that which I think Scotland's cheeff politick good) to ane intire union with England. I doe not mean without provisions and exceptiones—that were ridiculous for both—but in substantials, that both head and body might be one politick body. Unless wee be a part each of other, the union will be as a blood puddin to bind a catt; and till one or the other be hungry, and then the puddin flyes. God give all of yow prudence, wisdome and honesty and Brittish minds. May wee be Brittains, and down goe the old ignominious names of Scotland, of England. Scot or Scotland are words not known in our native language. England is a dishonorable name imposed on Brittains by Jutland pirats and mercinaries to Brittains, usurping on their lords. Brittains is our true, our honorable denomination. But of this more perhaps hēre-after. . . . . Wee are in quiet, and will be till next Parliament, and view of their treaty. Some wold gladly seem

great springs in that operation, who will perhaps be but little mortals, as others on that occasion. I wish yow great ones doe and conclude aright; and then shame fall them who concurrs not with yow. Nay, I owne if my privat mortal enimies make a good treaty I am on their syde; and if yow doe wrong I will not joine; and that is very small news.

THE EARL OF STAIR to the EARL OF MAR.

1706, January 3.—I acknolege the honour of yours of the 25th past in which your Lordship hath bein pleased to giv me a full and clear view of our affairs how far they hav bein succesfull, and wher ther is danger that they may miscary. I am wele convinct the Ingliss hav don very handsomly and obligingly in repealling all the clauses of ther Act which wer either injurious or grivous to us, and tho ther wer no mor success to be hoped for from the treaty, yet that sam was wele worth all the strugle we had to obtain it; and it carys ane use of reproof to two sorts of people, either thes who wold not enter into a treaty becaus they pretended no good wold be gott by it, and others who wer so fond as to hav rendred without ony termes to which it was impossible to hav brought our nation or Parlement. I shall be sorry if the Ingliss insist too peremptorly upon ane intyr at present. Your Lordship knowes my sentiments in that matter that I do firmly believ ane incorporating union is the best for both nations, bot that may requir mor tim then the present circumstances do allow, for if we should be so unhappy as to be deprived of her Majesty befor the succession is setled great mischiefs may follow; therfor I wish that upon the setling of a free trad betuixt the nations and all freedom to ther plantations, that the succession wer presently declared in our next Session of Parliament, and that the treaty of a generall or intyr union did likways proceed so as a scheem therof might be offered to both Parliments, and if mor tim wer found to be necessary for that, yet it needed not stop the other from bein presently concluded and declared. For the nomination I think your Lordships hav don your part in stating the difficulty and given the generall opinion. I conclud the Court will hardly adventur to make another mixtur without either ours or the opinion of our friends ther, and if they be of another mind I think its your part to submit if that alley brings the matter to a good conclusion—its not to be considered by what hands—and if the affair miscarys yow ar exonered, bot I am affrayd another step of this kind will render D[uke of] Q[eensberry] so jealous that he will not medle, and your Lordship may consider how the busines can succeid without him. Its a great happines for the publick and security for your selfs that the two Secretarys and the great men in the Government ar of the same sentiments. So long as yow continew so its impossible for busines to miscary. It may stike at one tim bot it will do at another. All the opposition can only retard, bot without this sort thers nothing considerable either ill or good can be don with us. Bot tho yow should not com to open breaches if ther arys difference or shynes amongst yow,

then yow ruin yourselfs, your frends and country; therfor the common interest is mor to be minded then the particular part that every man is to act. Nor is it always the greatest actor that represents the greatest person, bot the severall parts ar to be given so as the whol plott may be best executed. Its only in this point that I fear hart burnings may aryse. The Court and our freinds ther should disgest and prepair this matter, and I hope the persons shall acquiese in what parts freinds do assing them, and who ever be's the principall actor they should be contented to act with consert and to allow others ther shair of the influence and disposall of things according to ther interest and weight in the party. I do not beleiv the two Duks will differ in relation to the M[arquis of] An[nandale]. He must either reconcile and quitt his humour before the nomination or then thers an end of him, and ther will be the mor need of caution to retain our friends heir, and cair to take of some that wer in oposition. In order to retaining friends its absolutly necessary to finish what was designed for the northern squadron. I know its not your Lordship's fault that Grant is not provided as yet, bot except Kilraick be Sheriff of Ross, they never will be hearty, for he manages the rest; and Gorg Brody is earnest that Captain Brody be the under Chamberlain of Ross, which hath som difficulty; bot it must either be don or that keept fair in expectation which will hav great influence in the north. For tho' that corner who has many representativs ar the most disaffected to the present establishment or the succession, yet the matter of trad is mor in ther heads then any others in the nation, which may make them easie in Parliament to ratify thes good terms that may be obtained in the Treaty.

For getting of som of the opposers I wrott formerly to Earl Lowdoun how little I beleived of advances had bein maid by the leaders. My Lord Arnistoun is very currant for the treaty and that we should take the best terms we can get; for breaking up is ruin, and he says he wold not stik at quitting our act of peace and war, which is a far advanc. He is the first barron in Parliament, and you will find few of his stat to be put upon the treaty. Thers indeed a charm in being ingaged into a party. For common cants take men off from ther own reason; bot yet if he wer naimed one the treaty I think I could answer for him, and he is certainly for the constitution. Thers another freind of yours of whom I'le writt to Lowdoun when I hav mor assuranc. He doth not desir to be on the treaty, and he is valuable for his tounge, and I think not by in his pretensions. All his freinds ar of our sid, so if onc he coms thers no fear that he goes off again.

THE DUCHESS OF QUEENSBERRY to the EARL OF MAR.

1705-6. January 4. Alnwick.—My Lord, I am desired by my Lord to tell you he forbore writting to your Lordship till he cou'd date it on the road, and since then he has not bin very well, which makes him employ me to lett you know it, as also to clear him of being in the least accessary to it himself,

tho' he heares he has bin under that scandall. But upon my word without any manner of ground, for since your Lordship saw him he has not bin much disposed to mirth. He did not stay a minute longer at Eden[burgh] than the circumstances of his family required it, and he will make all the hast to you that's possible in this season; for the days are so short and the ways so deep there is no going above a stage a day since there is no sort of accommodation to be found for us between stages in these northern places. Therefore he believes before he can have the honour to see you your statesmen there will be impatient to have business determined, particularly in relation to the nomination for the treaty; as to which he cou'd add nothing more were he present to the memoriall sent up by him and all your other friends, in which they all still agree and are positive that if any mixture be made in the treaty or Ministry the whole designe will be ruin'd, and he is sure it can never be proposed but by those who are very ignorant of the method of carrying busines in Scotland or have another view. And therefore in case such a mixture be proposed in any manner of way, he thinkes all friends shou'd give their opinion once very freely against it, and if that wont prevaile, they shou'd then submitt in obedience but be altogether passive after, and lett them that advise it answer for the effects. For he does assure you that it will be imposible to carry (at this time) any kinde of busines with a jumble, and on the other hand he has very good grounds to believe (which he will explain to you at meeting if it is not out of time) that both the opposing party are so divided among themselves that if the Court does not countenance and support them they will be striveing (not only most of the followers but some of the chiefe among them) who shall be first accepted of by this present Ministery. He has by experience found all along that whenever that party was weak and that measures were like to succeed there was still some pretence found to raise and strengthen them again. And therefore he bids me tell you as a friend (and what he tells your Lordship he means the same to my Lord Loudun) that if he finds the least view that way now he will carry himselfe allways very dutyfully to the Queen in any station she pleases to employ him or whither she employ him or not, but is resolved not to meddle nor advise, and in that case shall wish he had bin alow'd to stay at home, since he shall be a very useles member there. This is in freedom to your two Lordships, whom he knows will make no ill use of it; and he begs to hear from you on the road. He maks bold to use the alowance your Lordships were pleased to give him of taking his letters out of your packetts, which is more from your goodness than his desert; and assures you will always be your faithfull humble servant. My humble service to my Lady Mar is sufficient to trouble you with from my selfe, more than to tell you I shall not take it ill if the answer of this be directed to the principall party and not to the secretary, who is, your Lordship's most humble servant,
M. Queensberry.

My Lord begs leave to present his humble service to the Duke of Argyle, who he knows does not care much for epistles, but believes him to be of the same mind with himselfe, if he is not much alter'd since he saw him, which he does not thinke him capable of.

THE EARL OF MAR to the LORD ADVOCATE.

1706, January 8. London.—Bruce of Auchinbowie has applied to the Queen for a remission for the killing of the Laird of Airth, which he says was accidental and in self defence, as Airth drew first and ran at him. The Queen wishes him to take a precognition in the ordinary way and forward it as speedily as possible. A Dutch ship has been driven in on the coast of Caithness by stress of weather, having on board some Ostenders who had taken her some days before, and she has been adjudged by the Admiral Depute. Her Majesty desires that he may examine into the affair, both as to the value of the ship and to whom she will now belong, and report the same to her with his opinion. *Copy.*

THE LORDS OF THE TREASURY to the EARL OF MAR.

1706, January 12. Edinburgh.—In last session of Parliament the royal burghs were ordered to subscribe the amount necessary for outrigging the Royal William frigate. They had accordingly called for the Lord Provost of Edinburgh and other members of Committee of the royal burghs to do so, but after getting time to advise as to their action, they had returned answer that they did not think the order of Parliament bound them to do such a thing, and so refused. *Signed*, FORFAR, GLASGOW, F. MONTGOMERIE and JOHN HOME.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1706, January 15. London.—I have seen severall scames of our goverment from Scotland, which indeed were news to us; but Edinburgh is very fertile in producing such stories. We are as well at Court as we can wish, and business not being done was by our advice, for we inclined to have the Duke of Q——— here first. The Union is now very much the subject of everybodys talk here. Upon talking of it with some people some materialls seem'd necessary to be got before we mett, an account of which I shall send you in a post or two and you must do what you can to informe me of them. You may shew them to Stair, the Precident and Sir David, and anybody else that you think cou'd assist you in them and wou'd not make an ill use of them, but you wou'd not tell every body they are from me.

THE EARL OF MAR to the EARL OF LEVEN.

1706, January 17.—Intimating that he is to be Commander in Chief of the forces in Scotland. He had spoken often to the Queen about it, and several times to the Duke of Marlborough

and the Treasurer. Yesterday, particularly, he had occasion of speaking to the Queen, when she was pleased to tell him that she was resolved to give the command to the Earl of Leven, and also to continue him in the posts he presently holds. He was to inform the Earl of this and would soon be required to prepare his commission for her Majesty's signature. *Copy.*

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1706, January 22. London.—Some posts ago I wrote to the Earl of Leven, by the Queen's command, leting him know that she was resolved to give him the command of her forces in Scotland and to continow him in his former imploiement. When I wrote it was not publick here so I cou'd wryt to no body else of it. But now everybody knows it, so 'tis needless to keep it any more a secret, which you may tel my Lord Leven of from me and give him my most humble service. The Duke of Marleborough is at Woodstock, but will be back this week and then 'tis probable the Queen will dispose of the other posts in our armie in a little time. It is thought the English Parliament will rise in February, and then the treatie must come on, so the nomination of the commissioners must now very soon be made."

THE EARL OF NORTHESK to the EARL OF MAR.

1706, February 4. Ethie.—He had written severall times, but "secretarys are long naibbed things not to be medled with." Erroll writes that the old Lady Innernitty has just married a sturdy young fellow of whom she was very fond. "They say our two Scotes dukes, Q. &. A. are not agreeing, about which you secretarys begin to bee so too. If that be true, shame fall the couple."

THE EARL OF MAR to the EARL OF LEVEN.

c. 1706. [Undated].—Our affairs have been for some time at a kind of stand. Your English friends and ours spoke nothing of my predecessor untill the Duke of Queensberry came up, and then they show'd a desyre of haveing him brought again into the service, but withall said they thought it cou'd be no otherwyse but by giveing him the post that was formerly offer'd him. This we all consented to, and spoke to the Theasurer and the Duke of Marlborough of it, who both went and visited him. Our English friends spoke to him also; but he still persisted in denying to accept. This treatie put a stop to all our affairs, and particularlie to the Commission for the Union; but at last it cou'd be putt off no longer. So the Queen ordred Lowdon (the Secretarie-in-Waiting) to goe to Annan[dale] and tell him she had kept the place she had offer'd him all this time vacant to give him time to consider of it, but now she thought it for her service that that place shou'd be fill'd, therefor had sent him to get his last and positive answer. He said he had

formerly given it, but since the Queen had been pleased to send her Secretarie to him, he desyr'd he might lett her Majestie know that he acknowledg'd she did him a great deall of honor in offering him that post at first and now too, but he did not think he cou'd serve her Majestie in it, so cou'd not accept. This answer my Lord Lowdon carried to the Queen, so theirs an end of the affair, and my Lord sayes he is now goeing home. Evrie bodie must own that the Queen has not taken my Lord short, and no bodie cou'd expect more condiscention in the Queen's servants, that after all the stories my Lord has been pleased to talk of everie one of us since he came here, yet we were willing to have receaved him, forgott bygones, and served friendly with him. However, it is to be presumed my Lord knows his own interest best; and, on the other hand, I hope the Queen's affairs are not so low but she can be served without his Lordship or any one or more of us. Our English friends who show'd a desyre of haveing him imploid again are satisfied there cou'd not more be done for that end either by the Queen or her servants.

I thought your Lordship wou'd be desireous of a true account of this affair, which made me give you this trouble. Now, since this affair is over, I beleive the Queen will very soon name the commissioners both for Scotland and England, and the Scots commission will very quickly be sent down. We were so uncertain of our selfs till now that we cou'd not write to people who we desygn'd to recommend to be on the treatie, and now it is past time to have answers from them; but we hope none will excuse themselves from comeing up, when so much depends on the issue of this affair as the preserveing the peace of the two kingdomes and settleing them on one Protestant bottom. We all hope your Lordship will be with us very soon. I'm sure you will be of good use to the generall cause, so I hope your Lordship will lay aside any inconveniencies you may have by it in your private affairs. We hear the Justice Clerk talks as if he wou'd excuse himself, which I shou'd be verie sorie for. I beleive the Queen will admitt of no excuse, and I wish his friends wou'd keep him from makeing any. I'm sure his friends here, either Scots or English, will not take it well if he doe.

The Queen has ordred my Lord Lowdon to let my Lord Glasgow know that she is resolved he shall represent her person in our nixt Assemblie. I hope, by the accounts I have from Mr. Carstairs and other ministers of the good disposition amongst the ministers in Scotland, there will be no troublesome thing in that meeting, and I question not but my Lord Glasgow will be very acceptable to them.

Your Lordship may be sure that your commissions not being yet sent down proceeds not from any stop or demur in it, but the Queen inclin'd to have the commission for the treatie first finisht, befor she did any more in relation to the armie, and she resolved to sign your Lordship's commission when she sign'd some others. *Copy.*

THE EARL OF GLASGOW to the EARL OF MAR.

1706, February 5. Edinburgh.—About Treasury matters and sending copy of a letter from the Treasury to the Queen with a Memorial by Lord Leven to the Treasury. There only remains a balance of £1,900 without respect to the deficiency of cess or excise. It will require £6,000 or £7,000 sterling to buy what is absolutely necessary in Lord Leven's Memorial "and we cannot be ansuerable to apply what should subsist our troups and pay our friggotts, for buying arms and ammunition. All we can spare is a 1,000 lb. to buy 200 barrells of powder, which is a pitifull provision for this kingdom."

MEMORIAL BY THE EARL OF LEVEN, MASTER OF ORDNANCE, to the LORDS OF HER MAJESTY'S TREASURY.

1706, February 5. Edinburgh.—Reporting the very bad condition of the magazine "their being little or noe cannon pouder, noe flint stones, few or noe chests of ball, either for firelock or pistoll, and but a small quantity of cartridge paper and match. And for arms—their are not above tuo thousand firelocks, and these the refuse and worst of all the arms provided for many years, and soe consequently very bad. Their are noe pistolls nor carabins but such as are old and insufficient. Their are few or noe bayonets, and the patron tushes and holsters that are in the magazine are very insufficient, being made up with paper. Their are noe planks for making new or mending old carriages." He begs their Lordships will order and bring home such quantities of each as they may judge proper.

THE EARL OF GLASGOW to the EARL OF MAR.

1706, February 25. Edinburgh.—Acknowledging his appointment as Commissioner to the General Assembly, and as to his instructions. He has countermanded the orders given for the roup of the Dutch ship that came in upon Caithness, and has spoken fully to Lord Cromarty about it. "Bot its reasonable if the Queen deall so generously and discreetly with the Dutch that they should observe the same rules with us. I am heartily glad that my Lord Annandale's affair is once at a close, and I am verry much mistaken if aither the Queen or any in her service have reason to repent the change."

HUGH MCHENRY to the EARL OF MAR.

1706, February 6. Carlisle.—His Lordship's known favour to the oppressed and distressed, especially churchmen, emboldens him to place his case in his hands. He was settled as minister of the parish of Dalton, but merely because he differed from the ministry there in the point of church government, his legal maintenance has been withheld from him since 1697. However till June, 1704, he retained possession of the church and manse house and preached to that congregation, but

then his funds being exhausted he went to Carlisle, and has a congregation to whom he now preaches and from whom he has some present support. He begs that the Earl will obtain for him her Majesty's letter ordering payment of the arrears of stipend due to him.

REV. WILLIAM CARSTARES to the EARL OF MAR.

1706, February 16. Edinburgh.—The barrennesse of this place as to any occurences, an account whereof can give me the confidence of doeing myselfe the honour of writeing to your Lordship, does ease you of the trouble of my letters. But I have presumed by these lines to acquaint your Lordship that there was upon Wednesday last a visitation of the churches of this citie by the Presbyterie. It is an ordinarie thing in the disciplin of our church, though it hath not been for manie years as to this citie. All things ended with great calmnesse and to the contentment of all concerned. The magistrats as representing the heretors of the citie, and all the elders and deacons were ask'd how their ministers behaved and if they had anything to object against them, and then the ministers were ask'd if they had anything to say as to what was unsuitable in the others. All ended in mutuall commendations of one another, and the magistrates afterwards treated the ministers. I hear some false reports are made here of this affair, and it is probable that they may with greater confidence be spread at a distance, but if your Lordship shall hear anything of this businesse as to which your Lordship would desire to be informed, the writer will give him a candid account of the same.

REV. WILLIAM CARSTARES to the EARL OF MAR.

1706, March 2. Edinburgh.—The Earl of Glasgow is very acceptable to all that I have had occasion to see since it was known that he was to represent her Majestie in the next Assemblie, which I still hope shall be a peaceable one. Many of the Marquis of Annandales friends here are sorrie that he hath laid himselfe aside from being in the government, and doe wish that he had complyed with her Majesties pleasure; and indeed it was allways my opinion that he should doe so. But it seems there is no help for that now. I hope her Majestie will find him as zealous in her service when out of the government as in it, though a Court is apt often not to believe such a selfe-denyall till they see it.

As for the Union it is a matter to high for so mean a person as I to presume to give my thoughts of it. But seeing your Lordship is pleased to honour me with writeing about it I should be ingrate if I should give any return to your Lordship that were not plain and without reserve. As for the thing itselfe your Lordship alreadie knows my thoughts of it, as your Lordship is pleased to signifie in the last letter I had the honour of from you. But reallie, my Lord, my fears are that the urgeing of an incorporating Union now will furnish pretexts to

delay the setling of the succession upon which the quiet of our countrey seems very much to depend; and such as have their eye upon St. Germains, and others who would be glad to have even any good settlement to miscarrie in the hands of the present Ministrie will frame many difficulties under pretence of concern for the honour and libertie of their country, and so keep affairs in the same unsetled state that now they are in. And indeed, my Lord, I did humblie conceive that your Lordship and others of our great men with you were much of this mind before you left this place; and therefor if terms any way reasonable could be obtained it may be it would be the easier way of settleing us. But all this is under correction and only in complyance with the dutie I ow' your Lordship; though for my own part I have such a prospect of what may be the issue of our continueing in this uncertain state in which now we are that I should be glad we had a solid settlement of the Protestant succession, whether it were the one way or the other.

THE EARL OF MAR to the EARL OF LEVEN.

1705-6, March 2. Whitehall.—I wrote to you two posts agoe, which I hope you gott, and by it you wou'd know my Lord Annandale's storie and how busieness is goeing here. Since that time the Queen has nam'd the Commissioners for the Treaty (of which I send you a list inclosed) and sign'd the commission, which is sent down by this express. Your Lordship will see that the first dyet of the treaters meeting is the middle of Apryle, by which they will all have time to prepare themselfs for their journie and be here sometime before the meeting, which the Queen expects, that we may consult together befor we meet with the English. Her Majesty expects also that upon this occasion none who she has nam'd will declyne comeing up, and reallie it wou'd look odd if any did.

Since your Lordship is to come, I wish, and so does the rest of your friends here, that you may come as soon as possiblie you can, for a great many reasons, and I hope it will be no inconvenience to you, but will certainlie be an advantage to the generall interest and your friends. I hope your commission will be with you in a few posts, so that needs be no stop, for you'll have it befor you can possiblie be readie. I hope your Lordship has disswaded the Justice Clerk from declyneing this journie, as I wrote last we heard he intended. If he did, it wou'd look very odd, doe harm to the generall interest, himself, and his friends, so I hope he'ill be advys'd. The Queen thought it absolutelie necessarie that the place of President of her Counsell shou'd stand no longer vacant, so she has sign'd a commission for it to my Lord Montrose, who has given all the assurances of his being on the same interest with us that can be askt from a man of honor. This I hope will strengthen the interest, the Queen's service and her present servants, so I doubt not but your Lordship will be well pleased with it. He did not incline to be of the treatie, because it wou'd oblidg'd him to

come up here, which in his present circumstances wou'd have been inconvenient to him; so his commission will not be sent down for some posts, that the Commission of Treatie may be in Scotland some time before it. When his commission is sent down there will also be sent a letter adding severalls to the Counsell and Exchequer, most of whom were formerly of them.

There has been talking here a good whyle of a regiment's being to be leavied in Scotland upon the English Establishment as McKartnies was, but not to have quitt so many draughts, and this regiment to goe abroad under Lord Mark Ker's command. Tho' this has been a considerable time talkt off, yet we were never so certain of it that I thought it worth your whyle to write of it, till now that the Duke of Marlborough spoke to the Queen's Scots servants of it, and told us it wou'd be for her Majesties service abroad, and that he inclyned to it for that, to provide Lord Mark; and he thought it might be for the Queen's service also in Scotland. Therefor desyr'd we might have our thoughts of it, how to make it conduce most for this last end; which we have done, and are to speak to him of it in a day or two. There are severalls of the captains in the two regiments commanded by my Lord Strathnaver and me, that we know are more desireous of serveing abroad than at home, and these we are sure of inclines this way. We are to propose to be of this new regiment, and so make vacancies in Scotland. By this we think there may be fyve or six companies in Scotland to dispose off, which we wou'd advyse the Queen to bestow to people of interest, quhich wou'd strengthen her service and her present ministrie, without preferring any of our own particular friends. If we be not sure of fyve or six of the captains of the two regiments who are willing to goe abroad, we think to advyse to send so many of the five or six commissions as we are not sure of to your Lordship to fill up with any of their names you think fittest, and they not to know but they had been fill'd up here. As to the rest of the captains of this regiment, there are more people recommended for them than there will be room for by the half. My brother, who served captain in Rows regiment all this war, is proposed to be leivtennant collonell, and Clephane captain in my regiment, and an old good officer major. Your Lordship may be sure if we had been certain of this affairs being in earnest in such time as we might have acquainted you of it, and gott your return befor we were oblidged to give the Duke of Marlborrough our scheme of it, we wou'd not have done it without your advyce; but he told us the regiment behoved to be readie in six weeks time, and he wou'd expect our scheme of it in two or three days. The subalterns recommended for this new regiment are innumerable, and all the blame from those who are disappoynted and those who recommended them will fall on the Secretaries. We had need of broad shoulders to bear all the blame both upon this account and others that people with give us, tho' we be very innocent and have as little the doeing of things as any of the Queens servants. *Copy.*

THE EARL OF MAR to the MARQUIS OF MONTROSE.

1705-6, March 2. Whitehall.—Since ever I was imployed in the Queens service there is no body I wished so much to be with us and to have a suitable post in the Government then your Lordship. I must oun all the Queen's present servants here were as forward in this as I, and we all spoak to the Queen of you. Her Majestie has been pleased to make your Lordship Precident of her Councell and one of the Lords of Treasurie in the same mainer my Lord Tweedale and my Lord Annandaile were formerlie in those posts. I hope this will be agreeable to you and enable you the more both to be serviseable to your countrie and your friends. Your commissions had been sent doun by this express, but wee understood your Lordship did not inclyne to be of the treatie, that you might not be obleidged to come up here at this time. Therfor the Queens servants thought it would look better that your commissions shoud not come doun til some posts thereafter, since you was not one of the treaters. I beleive the Queen is resolved to make my Lord Weymes Admirall, but your Lordship woud not speak of it til his commission comes doun.

I'm sorie you did not inclyne to be of the treatie, both because we'll want your good companie here and your assistance in that affair which is of such consequence and may be of such advantage to our countrie. The English nation were never in such a good dispositione towards Scotland, and if wee gett not a good union I have reason to beleive it will not be their faults. But though your affairs requyred your attendance at home which I believe made you not incline to be of the treatie, yett I hoap your Lordship is of the same oppinion in this affair that the rest of the Queens servants are.

I hoap non of those the Queen has made commissioners will declyne coming up. And the time they are here, there will be very few of the Queens servants in Scotland, which makes us hoap your Lordship will be frequentlie att Edinburgh, else their will be no face of a goverment, and bussiness, especiallie of the Treasurie, will stop.

The Duke of Marleborough spoak to us lately of a new regiment for Lord Mark Ker to be raised in Scotland and to goe abroad. If this hold wee are resolved to have Urquhart a captain in it, which is all that's in our power to doe for him.

When your Lordship's commissions are sent doun, ther will also be sent a letter to the Councell and another to the Exchequer adding severalls to their number, most of whom were formerlie of them. There is nobody turned out. *Copy.*

THE MARQUIS OF MONTROSE to the EARL OF MAR.

1706, March 5. Glasgow.—Acknowledging his Lordship's letter of the 2d, stating that the Queen had appointed him "President of the Councill and one of the Treasurie, which are such marks of her Majesties favour as I cannot but most gratefully acknowledge, and I shall reckon it my greatest honour to behave myself so as to have her Majesties approbation."

Sir William Sharp of Stonyhill to the Earl of Mar.

1706, March 5. Stonyhill.—Thanking him for his kindness to his son at London, and hoping that speedy payment will be made of the arrears of his pension. He suggests that a grant of land from the Crown to the value of what is due might be bestowed upon him during life and upon his sons, and to assist this he incloses a rental of the Crown property in Scotland, dated 1674, as it stood in the time of his uncle, though much of it is now given away. "This is not so great a request considering my losses by the Crown, the blood of my father, and my own unshaken loyalty, and worthy of the Earl of Mar to procure from such a Queen, who knows my story and circumstances."

The Earl of Rosebery to the Earl of Mar.

1706, March 11. Barnbougle.—I had the honour of your Lordships letter this day, wherein your Lordship tells me that the Queen has been pleased to name me one of the Comissioners for the Treaty with England, and doth expect that I should be there befor it begin. I shall therefor in obedience to her Majesty's command (though considering the scarcity of mony in this country it is not very convenient for me) endeavour to be att London befor the first meeting for the treaty, which I earnestly wish may take effect; for I do belive nothing will ever make this country easy but an intire compleat union with England, which, since they now seem willing to agree to, we were the most unhapy people in the world if it should faile on our side. I will not troble your Lordship any more att this time, since I hope to see you so soon. Only I beg your Lordship may believe that I am what on many accounts I am ever bound to be, and what I do asshure your Lordship you shall allways find me, my Lord, your Lordship's most faithfull, most humble and obedient servant, Roseberie.

The Marquis of Lothian to the Earl of Mar.

1706, March 14.—Thanking him for his kind and discreet behaviour to him and his concerns at this time. He will not trouble his Lordship by "enumerating the affrownts I have met with at this tym which I never could have imagined. As I had the honour to be amongst the first that offered my service at the happie Revolution, so, my Lord, I have the misfortown to be the first who after seventeen years service is oblidged to quit the service, being so publikly disgraced in the way of my treatment; and I must say to your Lordship, I cannot see wherin I have deserved it. For I can say I did my endeavour to serve the Quin to my powr faithfully and honestly. I have sent my commission as Colonel to the Duk of Argyll to be disposed off. If the Quin hath any service for me as Colonel of the Gards, I offer my services. If not, I heartily wish her Majesty and Government all happiness."

THE EARL OF SUTHERLAND to the EARL OF MAR.

1706, March 15. Hatton.—"I am very sensible of the honour the Quen has been pleased to confer upon me in choosing me as ane of the commissioners to treat with England, and joyning me with soe many worthy persons that I belive hes nothing befor ther eyes but her Majesties service and the good of both kingdomes, and shall endeavour as soon as I can to be att London." He desires his Lordship to speak to her Majesty on his behalf for the post in the Treasury lately held by Sir John Home.

THE EARL OF MAR to the QUEEN'S ADVOCATE.

1705-6, March 16. Whitehall.—The government here have gott intelligence from a good hand that a ship belonging to Abberdine, of which Pitter Forbess is master, who under the pretext of tradeing caries persones and letters betuixt Scotland and France and has a French pasport procured for him by a Lord in Scotland, and is verie laitlie sailed for Scotland from Ostend. It is necessarie and the Queens pleasure that this affair be inquired into, and that the master of the ship be lookt after and examined, and particularlie who procured him his pasport from France and what persones he caried aither to France or Scotland, and to whom the letters were from or directed to. I have wryten of this to my Lord Montrose, Precident of the Councell, who, if he be in toun, will certainlie speak to your Lordship of it. But if he be not, your Lordship would take such methods in discovering this affair as you think most likly to bring it to a light. The less noice is made of it the better. If the ship be not yet arrived, as soon's she does, it's necessarie the master and some of the crue (if not all) be secured and particularlie examined. Your Lordship would also informe your selfe what keind of man this Forbess is and under what repute he has been. 'Tis necessare that what discoverie is made in this affair be transmited here by a flyeing packquet because it requires dispatch. I doubt not but your Lordship will be cairfull in this mater and make all the dispatch that's possible, which is all I have now to trouble you with. *Copy.*

THE EARL OF ROTHES to the EARL OF MAR.

1706, March 11. Leslie.—I hope you'l pardon this, since it is to reccomend a friend of ours (namely the Pape) to my Lord Halcraig's place in the Session, and all I shall say, dear Marr, is—Faith it were both your interest and mine he were there. No doubt your Lordship knowes what way that can be done, or if it will doe at this time.

REV. WILLIAM CARSTARES to the EARL OF MAR.

1706, March 19. Edinburgh.—The administration of the sacrament in this city last Lords day hindered his replying to his Lordships letter sooner. He hopes the treaty will be

"brought to an issue in some scheme that will setle the nation and establish the Protestant succession; and it will be of great use if all in the government shall be heartilie unanimous in any measures that shall be taken." The managers should be earnest to secure this. He believes the Lord Justice Clerk will attend at London. The instructions for the Assembly will be as usual, but Lord Glasgow will, he supposes, have the usual latitude. Lord Halcraig's death creates a vacancy which he feels the Earl and Lord Loudon will have difficulty to fill without causing discontent. He regrets the hasty step taken by the Marquis of Lothian, from which, had he seen him, he would have endeavoured to dissuade him; but he will be sorry if the Duke of Argyle is disobliged, for the strength of the party lies in its unanimity.

SIR JOHN ERSKINE to the EARL OF MAR.

1706, March 19. Dysart.—Intimating the death of Lord Halcraig. As a seat on the bench therefore becomes vacant he declares his willingness to undergo the fatigue of that post and trusts his Lordship for doing what is necessary to place him in it.

J. HOUSTON to the EARL OF MAR.

1706, March 26. Edinburgh.—I begg leave to give your Lordship an account of a most inhumane murder committed here in the street upon my brother Archibald, Writter to the Signet, Wednesday last about six of the clock at night, by old Auchtifardell and two of his sonnes. Severall persons that see the actione declare that the old man gave him severall stroakes upon the head with his kane and that he and his third son grapled with him and held him untill his eldest son thrust him in the belly with his sword, of which wound he died upon Sunday last about seven of the clocke at night. The old man is in custody, but the two sonnes are fledd.

SIR JAMES STEUART, QUEEN'S ADVOCATE, to the EARL OF MAR.

1706, March 30. Edinburgh.—Sending a letter from John Gordon, bailie of Aberdeen, dated 26th March, who reports that Pattrick Forbes, shipmaster there, was at present at Ostend, whither he went in December last with a cargo of salmon and is thence bound for Campveer in order to get Dutch clearance and proceed to Havre de Grace. He is well known to Sir Andrew Kennedy, the Conservator, has hitherto always behaved as a well-wisher to the government, and in the writer's opinion is not at all fit for carrying out evil designs. As soon as he arrives, however, he will be secured.

REV. WILLIAM CARSTARES to the EARL OF MAR.

1706, April 2. Edinburgh.—He has waited upon the Earl of Buchan and made, as cautiously as possible, the proposal entrusted to him. Lord Buchan looks upon himself as somewhat slighted, but he is of known fidelity to the government,

and will comply and accept, if in order to do so with honour some honorary post in the government were bestowed upon him, such as a supernumerary Lordship of the Treasury, with or without a pension, and his commission be in the same terms as those of the governors of the other castles. If the writer at any time endeavours to remove any wrong impressions of the Earl of Mar entertained by any of his brethren through misinformation, he only does what justice and his own inclination demands.

THE EARL OF GLASGOW to the EARL OF MAR.

1706, April 4. Edinburgh.—This day our Assembly sat doun. Mr. Wishart, minister at Leith, was chosen moderator. They appear to be perfectly calm and easy and are perfectly pleased with her Majesties letter. The moderator, after his taking the chair, expressed himself with entire confidence in her Majesty's assurance to maintain the present established government of the Church. They have little business to do in the Assembly and he is hopefull they will rise against Tuesday come seven nights at furthest, and perhaps sooner. He has troubled his Lordship with a double of the discourse he had to the Assembly.

THE EARL OF GLASGOW to the EARL OF MAR.

1706, April 6. Edinburgh.—I have sent your Lordship a copy of the Assembly's answer to the Queens letter. I hope your Lordship will study to haist doun a letter from your Lordship's collegue in waiting signifiing the Queens receipt of their ansuer and with a compliment to them, for our clergy mislyke not soft words.

MR. WILLIAM WISHEART, MODERATOR OF THE GENERAL ASSEMBLY, to the EARL OF MAR.

1706, April 6. Edinburgh.—He sends a copy of the Assembly's answer to her Majesty's letter to them, of the same date, in which the Assembly thanks her Majesty for her constant care to have the vacant churches planted with pious and learned ministers, especially in the Highlands and Islands; states their care to make a proper distribution of the libraries mortified and sent for the uses of the churches in the remote parts of the nation; and promises that moderation and unanimity which her Majesty expects in their conduct of affairs, and that confidence in her Majesty's Commissioner, which his eminent fidelity to her service, his good affection to the present Establishment and unquestionable sufficiency demand.

THE EARL OF CROMARTIE to the EARL OF MAR.

1706, April 6.—He had the honour to hear her Majesty say oftener than once that she was resolved to bestow the rents of the bishopricks, as far as law would allow, for the support of the poor starving clergy of that character. He knows that many of

these are now in very bad case, and particularly mentions the Bishop of Moray "as an object both of charity and justice. And so is the worthy Bishop of Edinburgh, Dr. Young, his relict and her children." When he was Secretary he urged their case upon her Majesty, and he presses the Earl to remember what Mordecai said to Esther.

THE EARL OF GLASGOW to the EARL OF MAR.

1706, April 13. Edinburgh.—I shall take jorney so soon as I dissolve the Assembly, which will be on Monday nixt in the afternoon, or Tuesday morning at furdest. The Assembly never was better pleased with her Majesties conduct towards them, and they have good reason. The brethren are striving with one another who shall speak with the greatest respect and regard of her Majesty, and all unanimously putting intire confidence in the Queen.

THE EARL OF GLASGOW to the EARL OF MAR.

1706, April 16. Edinburgh.—This day at one a'cloak I dissolved the Assembly in most calm and peaceful manner, every member in the Assembly expressing their full satisfaction and intire confidence in her Majesty without the least distrust or jealousie. I pray the Lord that good and moderate temper may long continue, which I have good ground to believe shall. I leave this on Thursday in order to wait on you.

THE EARL OF CROMARTIE to the EARL OF MAR.

1706, April 18.—I am glad to hear that so many in England are for ane incorporation of Brittain; for federation is not worth the paines, and will be ane Egyptian reed, and will be a mother of future dangers and discords at some unhappy occasion.

In the matter of Madagascar, I have writt to the Earl of Stair, and so will not trouble your Lordship with anticipating of quhat he will say. My dear Lord, its said heer that D[uke] of Q[ueensber]rie and Earl of Glas[gow] are to be Secretaries, your Lordship Collonell of the Guards, and Earl Low[doun] Privy Seall and of the Treasurie. I congratulat yow in the good fortune of the change (if it be true) and in my litle opinion the Earl of Lowdoun hath weel changed too. I hope your Lordship will order Jo. Stuarts ensign comission to be effectuall to him, and the Earl of Lowdoun that of Captane Vaus. I think no body wishes the Queen, the nation, the Isle, and my freends, better then I doe. As to whats good or not, I may be as readily mistaken as any; for none can think that to be true which does appear to them to be false; nor good, what appears to them to be evill. These mistakes are the objects of pitty. This may be my case in the matter of the Union. I am taken with the incorporating, and I am so because I am old, and in long experience of slavry, and now of poverty; and I wish to leave the nation free of the first, and at least in the road to have the other. And I see not deliverance from either without serious union,

i.e., incorporating; for the other is a jeast, if not worse. Yet I am no slave to any present sentiment, but ready to leave its command when I see a better fellow. But I most see him or I love him; and when things are dubious, I ever doubt whats asserted by a party or faction. For that hath ever been my aversation, and it my oppressor, and so to the nation. But I can much rely on the Earl of Mar, because that family hath been so long right, that I confide in its honesty as haveing acquired a thrid and new habit of honesty. The schools know none but whats infused or acquired by reiterated acts; but that family hath a naturall habit to right, unless some unhappy man interrupt it."

THE BAILIES AND MINISTERS OF THE CANONGATE to the EARL OF MAR.

1706, April 20. Canongate.—Their burgh is like to be ruined by the pressure of taxations and impositions of various sorts, and they beg he will concur with the Duke of Queensberry, the Chancellor and the Earl of Lowdon in securing its exemption from an impost of 2d. per pint upon ale and beer brewed and sold within the city and suburbs uplifted by the City of Edinburgh, and a gift therof made to the magistrates of the Canongate for behoof of their burgh. *Signed*, ARD. FALCONER, baillie; PATRICK JACKSONE, Theas.; THO. WILKIE; WILL. MITCHELL.

SIR ROBERT BLACKWOOD to the EARL OF MAR.

1706, April 20. Edinburgh.—The many repeated injuries and losses sustained by our Indian and African Company through the undue and unfriendly measures taken from time to time by the Government and some of the tradeing companies of England, and the open indignities done to our whole nation on that account, are alreadie so well known to your Lordship that we think it needless at present to trouble you with the recital of them, otherways than to put your Lordship in mind thereof in the general, it being humbly expected that care may be now taken at so favourable a juncture to have the nation's just grievances with relation to our Company's said sufferings redressed by a suitable recompence, and that our Company's privileges be kept still intire. For which end whenever we come to understand by the favour of a line or otherwayes that that matter is to fall under the consideration of your Lordship and the other lords, barons and burgesses appointed to treat with commissioners on the part of England concerning an union between the two kingdoms, we shall not be wanting in giving your Lordship and the other treating commissioners full information as to such particular grievances and matters of fact as we humbly conceive may be most properly insisted on, even in the preliminaries of the said treaty, if so your Lordship and the other commissioners on the part of Scotland think fit. So wishing a happy issue to the whole Treaty; this is in name and by warrant of the Court of Directors of our said Company.

ALEXANDER, BISHOP OF EDINBURGH, to the EARL OF MAR.

1706, April 23. Edinburgh.—Urging expedition with regard to the provision for the bishops with a specially liberal provision for himself. But he turns his "pen towards another subject and humble supplication to your Lordship, and that upon the desire and earnest request of our poor afflicted clergy. My Lord, they ar like to meet much hardship on the occasion of the late proclamation of Council here, for last week ther passd an order of Councill for shutting up the meeting houses of Elgin and Keith, tho' the preacher at the formar be qualified and I doe suppose the other may be so also. But besids this ther ar Council letters taken out against the ministers preaching at St. Johnstoun, Dundie, Montross, and St. Ninians besid Stirling, and who knows how far further this prosecution shall goe unless that your Lordship and som others of temper interpose to put a stop to it. I shall not pretend to dive into the policie of this severe proceeding, but sure I am it is nowais agrieable to the indulgences wer granted to that party, nor those measurs of lenity and forbearance which they pleaded so warmly was so due to them, while they themselves wer under the hatches; and it seems very hard that poor men that have lossd all and ar living most inoffensively to the Government, should at once be deprived of the liberty of their conscience and the mean left to preserve them from starving. Wherefor I beg your Lordship compassionatly to consider their case, and to fall upon som expedients for warding of this tragicall blow, and dispelling this threatening cloud that portends nothing less than a destroying tempest."

LORD DALRYMPLE to the EARL OF MAR.

1706, April 30. The Hague.—I am here since Sunday. Which way wee are to turn ourselves is yett uncertain. The Hanover and Hesse troups are stopt in Germany upon the enemys sending a detachment of 20 battalions and 30 squadrons from hence to the Moselle. I reckon wee shall march from our garrisons the 10 or 12 of May.

We have mighty good hopes of Barcelona; our King is certainly in it. Earl of Galloway has besigd Alcantara, which taken will open his passage to Madrid. The Duke of Berwick has no foot to oppose him. Prince Eugene has had an unlucky rub. Some of his quarters turned (?), but 'tis not to be supposed that 'tis so much as the French make of it."

THE TACKSMEN OF THE CUSTOMS to the EARL OF MAR.

1706, May 2. Edinburgh.—By this days post the merchants here have accompt of a Zetland privateer haveing carried up to Lisboune a ship called the St. Andrew of Leith, Charles Charters master, burthen about 80 tunns, with wines and brandies, that was bound to Leith." They and the merchants desire the Earl and the other officers of State to move her Majesty to intercede for the redelivery of the ship.

THE EARL OF STRATHMORE to the EARL OF MAR.

1706, May 4. Glammis.—"The late Proclamation of Councill has soe much raised the zeall of our Presbeterians that they will not only close up all meeting houses but also depose all Episcopall ministers under the name of intruders, who are most acceptable to the heritors and people. This, my Lord, may be of soe much harm to the Queen's interest in this countrey that I think I am oblidged to intreat your Lordship would be pleased to get her Majesty's favour shown to them, which I am sure will be most oblidging to this and neighbouring shires. And I hope your Lordship will take this as well designed by," etc. My Lord Chancellour is addressed in favour of the meeting house in Dundee, wherin I intreat your Lordship will concur.

DR. PITCAIRN to the EARL OF MAR.

1706, May 10. Edinburgh.—I presume to wish your Lordship may be pleased to mind the good education of our gentrie. I know no better occasion for your Lordship to shew your power and good will to the people of Scotland than what now presents itself. The rascal Liddel that was professor in mathematics at Aberdeen is deposed for murder, adulterie, etc. The fund is 50 lib. sterling a year. No mortal is able to stand against Dr. Bower if your Lordship will be pleased to patronize him. I know there is a child to be set up against him. I humblie beg your Lordship wold consider that our education is more than ruin'd already by raw, ignorant boys, and that it makes not one sufficient for a mathematical professor by having the surname of Gregorie, Dr. Gregorie is my worthy friend, but I hate monopolies. I can assure your Lordship yee cannot doe a thing worthier of your self and character than to prefer Th. Bower. I speak freelie, for I'm half fou.

THE EARL OF FINDLATER to the EARL OF MAR.

1706, May 11. Edinburgh.—The great friendship was allways betwixt your Lordship's predecessors and mine, and the happiness I have to be related to your Lordship give me confidence to give you this trouble, humbly intreating your Lordship to join with the Duke of Queensberry and interpose with the Queen for getting me some mark of her favour now in my old age. Its known to all persons how faithfull I have been to this government. I hope my son the Chancellour will speak to your Lordship, and if you grant me this my desire your Lordship will singularly oblige your Lordship's most affectionate cousin and humble servant, FINDLATER.

MR. CARSTARES to the EARL OF MAR.

1706, May 11. Edinburgh.—I did my selfe the honour to write to the Earle of Stair what were the thoughts of some here about the Church-government as to the Treatie, and so farr as I can find it is desired that one way or other something

should be expresslie mentioned as to what may be for its securitie. And I acquainted his Lordship with what some here suggested about it which I doubt not but your Lordship will know; but it is an affair so delicat that I desire to say nothing further of it lest I should mistake my measures, but I hope it will be the care of those concerned to manage it as unexceptionablie and as much for the securitie of this church as is possible, otherwise I am apt to think when the Parliament meets we shall have zealous speeches for our church even from those that at bottom make a mock of us and it both. The Duke of Queensberrie hath in some sessions of Parliament found a mightie fervour amongst such for the intrinsick power.

1706, May 13. Aberdeen.—Declaration made by Patrick Forbes, captain of the ship called the *William*, which arrived at Aberdeen the previous day from Burntisland under convoy of H.M. Ships, the *Royal William* and *Royal Mary*, before John Gordon and George Cruikshank, two of the bailies of Aberdeen, who narrowly searched the said ship, but found no arms, nor letters and papers save such as referred to the cargo. In his declaration Patrick Forbes details his voyage since leaving Aberdeen on 9th November last, his capture by an Ostend privateer, the pillaging of his ship, its redemption by the owners for half value, the deserting of him by his crew, and his return from the continent with a hired crew.

JAMES STEWART, LORD ADVOCATE, to the EARL OF MAR.

1706, May 14. Edinburgh.—He sends a copy of a letter from a number of masters of Scottish ships dated at Dantzic, 13th April, 1706, to Sir Robert Forbes of Auchinhove, advocate, in which they crave that as H.M. Ship the *Royal William* is coming to Gothenburg some time this summer to be fitted with new masts, instructions might be given to Captains Gordon and Hamilton to undertake the convoy of 25 or 30 sail which will be ready then for Scotland. He supports their application, stating it as for "our two friggotts for a convoy;" but thinks they will not of themselves suffice, and that as her Majesty has always ships cruising toward the Sound, the Admiralty of England might be persuaded to allow one of their ships to join with these two. This would be a great encouragement to the Eastern trade, seeing that our Scots traders, having lost their trade to the Low Countries are now venturing into the Baltic.

ALEXANDER ERSKINE, LYON KING OF ARMS, to the EARL OF MAR.

1706, May 16. Edinburgh.—Thanks for assisting his brother. He sends a draft gift for the augmentation of his fee as Lyon, and craves the Earl's support to it. He has held the office for thirty years, and has never had anything from the Crown except his small salary. With this he has had to strive through many difficulties, his father when he died having left

him an estate worth £200 sterling but with £4,000 sterling of debt upon it, and eight children unprovided for. These he had tended as if they had been his own. Now he has ten children of his own, seven of them sons, which forms the present necessity.

SECRETARY HARLEY to the EARL OF MAR.

1706, May 17. Whitehall.—My Lord, I received the honor of your Lordship's commands and send you enclosed the best account can be collected from those who came in so great hast from so warme an action. You will find in print an abstract of what Col. Richards brought in his letter, and in writing an extract of the account given by the aid-de-camp to Monsieur Auverque. I heartily congratulate with your Lordship that you have so agreeable a subject to write upon to Scotland, and that I have so fortunate an occasion to express myself, my Lord, your Lordship's most humble and obedient servant, Ro. HARLEY.

THE EARL OF MAR to his brother JAMES.

1706, May 17. Whitehall.—This flying pacquet comes with the news of the victorie obteand by the Duke of Marleborough over the French, that their may be publick rejoiseings for it. The Advocat being the only officer of State in toun, the pacquet is directed to him. You have incloased the account of the action, but next mail will bring us more particulars, and of the kill'd. We hear of non of our friendes kill'd but Borthwick, and some say poor Ninie Boyd ; but because it is not sure you wou'd not speak of it. Duke of Argyll has three contusions, but not dangerous. Preston of Lord John Hays is wounded, which is all we have yet heard of our people.

The sege of Barcelona is certainly raised, but the particulars are not yet come. This is like to be a glorious campain. If the Union be compleated this year too the Queen's rigne will make a great figure to all posterity.

THE EARL OF MAR to the DUKE OF ARGYLE.

1706, May 24.—I heartily congratulat with your Grace upon account of the glorious victorie ye have had and the consequences of it, and the great pairt your Grace had in it. We hope that it is so intear that their armie will not again, this campain at least, offer to give ye any resistance. Our Treatie advances very well, and in a little time I hope will come to a good conclusion, for we have adjusted the matter of our proportion of the taxes, which was like to be the most difficult affair. And since the greatest pairt of action is probablie over with ye for this season, and the Treatie now like to bear, your Grace's friends here think it wou'd be for your own interest and the advantage of cairying the Treatie throw in our Parliament, which is all our interests, as it is the nations in generall, that your Grace wou'd be pleased now to make an end of your

campain in Flanders, and come home and serve with the rest of your friendes in another where you will get more action tho' of another natur. Your Grace may be sure we wish it upon our own accounts, but beside severall of our friendes with whom I've talkt realie think it for your own intrest too; and I wish with all my heart that your Grace may be of our opinion. This day the Chancelor, Londoun, Glasgow and I spoke of it to the Treasurer; who approves mightily of it, and said he wou'd wryt of it to the Duke of Marlborough. I'm certain your coming wou'd be the surest way for your Grace to obtean any thing you want for yourself and your friendes. And then consider of what great consequence it wou'd be to the affairs we have to do, in which I doubt not but your Grace is sincearly conserned. I believe your Grace will find more of your friendes of this oppinion, and I intreat you wou'd be pleased to think of it, and be of the same mind with us. If I were not concern'd upon your own account I shou'd not be so earnest with you, but since it is my reguard for your Grace and your intrest, I hope you'll pardon this freedome.

J. Blair, Provost of Dundee, to the Earl of Mar.

1706, May 24. Dundee.—The burgh of Dundie hath given on all occasions very signal proofs of their loyalty and good affection to her Majesty and Government, but these services, though heartily performed, have nevertheless been expensive. What we did to secure the town and assist General McKay in the march of his troops to and from the north, and what we have since done and suffered in the constant passage of the forces our way together with the charges we have been at for rebuilding of our harbours and other reparations, have brought us into such debts and burdens that at the last election of magistrates none dared adventure to serve, finding themselves to be unavoidably exposed to the diligences of the town's creditors until they had obtained a supersedere of all diligences from them. But for two months there was in consequence no government in the town. Their common good is not sufficient to pay their debts; their trade is much decayed, and unless her Majesty graciously help them, as she has helped others, the burgh must sink. He asks the Earl to lay their case before the Queen.

The Viscount of Stormont to the Earl of Mar.

1706, May 30. Perth.—At the earnest desire of a great many of the nobility and most considerable gentlemen of the shyre of Perth, I beg leive to lay before your Lordship the divisiones and disturbances that are occasioned in this place by the violence and forwardness of some against the meeting housses, particularly against Mr. Henry Murray, minister of the meiting house in this toune, who is of a blameless life and conversatione, and orthodox in his doctrine even to the conviction of his enmies; and constantly and cordealy prays in expresse terms for her Majestie and her Government. He was summerly imprisoned by some of the magistrats of Perth, and

having applayed to be sett at liberty in the terms of the Act of Parliament, was refused, which hase given occasione to mutuall processes before the Privey Councill; and indeavours are used to procure a delay untill it be knowen what measurs her Majestie will take in a mater of so great concerne. And this shyre being convinced that your Lordship is a patrone of moderatione and justice, I am desired humbley to beg of your Lordship to represent this to the Queen, that her Majestie may take such an effectuall course for the ease and quiet of her subjects in this cuntry as her Majestie in her royial wisdome shall think fitt.

THE DUKE OF ATHOLE to the EARL OF MAR.

1706, May 31. Dunkeld.—This is the first trouble I have given your Lordship since you went to London. But the too forward and bigott proceedings of the Presbetery of Perth against the ministers of the Episcopal perswasion who are within my interrest, oblidges me to intreat your Lordship to lay theire caise before the Queen, that she may be pleased to allow them her protection; which I supose is agreable both to her inclinations and interrest.

I have alwayes allowed the churches where I am concerned when they were vacant to be planted by Presbeterian ministers; but have also thought it just and reasonable to preserve those of the Episcopal ministers who are good men in the churches they possess. There are yett five of these remaining in Atholl; three of them were in before the Revolution, and has preached in theire churches ever since. The other two have been in several yeares before King William's death, tho' not admitted by the Presbetery. And now during her Majesteis reigne they doe expect her protection, which I humbly desire for them if her Majestie think fitt; which may be done by sending me a letter for her Majesteis Advocatt not to insist against them, which if granted has need to be soon, because the Presbetery have taken instruments against my Sheriff deput, requiring him to turn them out in the terms of a late Act of Council in March, which has given rise to these courses. They have likwayes required my deput to turn out the meeting house ministers who are within this shire, as to which I also humbly desire to have her Majesties direction, for I did not think before this late Act of Council there was any law discharging them; and some of the magistrats of Perth have proceeded so far as to imprison Mr. Hary Murray, the minister of the meeting house there, and refused to let him out on baile, on which I ordered my deput to set him at liberty on baile in the terms of the Act of Parliament against wrongous imprisonment, which your Lordship knoes requires all competent judges to take baile when the crime is not capital, as I am sure his was not. The Magistrats of Perth, however, raised a Council proces against my deput, alledging he had encroached on theire priveledges; but they have since let that fall and did come here to acknowledge they were in the wrong.

My Lord, since I have this opurtunity I cannot but intreate your Lordship will also acquaint her Majestie that I meet with great injustice in not having my sallarie I served for as Privy Seale payed me. Her Majesty did send a letter to the Treasury about itt last year, but it has not been obeyed. I now send your Lordship a copie of the gift the Duke of Queensberrie gott for what was due to him; wherfore iff her Majestie will doe me the justice she does to others I doubt not but she will signe itt, for those have served with me are payed, and the Earle of Rothes who came in my place is payed. Your Lordship's kindnes in this matter will put a great and constant obligation on, my Lord, your affectionate cousin and most faithful humble servant, Atholl.

The Earl of Mar to his brother, James Erskine.

1706, June 4. Whitehall.—Give my humble service to the Advocat, because 'tis so late I cannot wryt to him this post, for which I hope he'll forgive me. But tel him that I spoke to the Queen of what he wrote to me concerning those shipes in the Sound. 'Tis not thought saif to venture the two Scots frigats so farr, but the Queen has just now five men of warr there and to return very soon; which will do better for our ships there, if they take the occation, which I doubt not but they will. However, I wish there correspondants in Scotland may wryt to them of this that they may not be expecting our frigats and so loss this opportunity.

The Earl of Mar to the Earl of Strathmore.

1706, June 11. Whitehall.—I received yours of the 4th May some time ago, and have since read it to the Queen. That Proclamatione of Counsell was emited since I came from Scotland, and ther was no coppie of it sent me, but I'm told it onlie revives former laws and makes no new ones. Were it yett to pass, perhaps it were as advisable to be lett alone at this time. I beleive the ministers your lordship wryts of are not quallified conforme to law by takeing the oaths; so if people will persew them, there's no protecting them. The Goverment onlie conived at them before, and had they continued to doe so still, I think ther had been no fault in it; but since the law stricks against them, when they are persued it would be thought odd and I beleive not verie legall to interpose. However, ther's non of the Queen's servants here who incline to be hard or sevear upon those people, and I hope the Advocats and others concerned in these persuits will act so prudentlie that ther will be no ground of complaint. The Queen herself is known to have favour enough for Episcopale peopell, but she cannot stope the law from takeing its courss. Her Majestie thinks it verie odd that severall of those ministers prays expreslie for her and her Goverment and yett doe not quallifie. This cannot but give their enimies a great handle against them, and stopes peoples mouths who incline to speak favourablie of them. As to that

minister at Dundee, I know not the particulars of his caise, but if he be brought before the Counsell I hope they will doe nothing but what is conforme to law. *Copy.*

LORD DALRYMPLE to the EARL OF MAR.

1706, June 14th (New Style). Camp at Artelle.—I'm heartily glad your Union go's well. With a little patience, notwithstanding your secrecy, wee shall come to the knowledge of the particulars. I hope the Duke of Marlborough's good success will help our part to digest the Union, tho' a good part of the members should swallow it with a little reluctancy. Wee are just going to see how much farther wee can push our good fortune. To-morrow Monsieur D'Anverquerque marches with 16 battalions from this army, which with two sent already and 22 from the Duch garrisons and Flanders, are to make themselves masters of the pass at Plassendale and the forts upon the canal between Ostende and Newport, and afterwards to make the siege of Neuport. By that means Ostend remains blockt. There are 14 Battalions between the two places commanded by La Moshe; a good many of them are Spaniards who will not defend themselves heartily. 'Tis not improbable after that Dunkirk may be undertaken, unless we think it more â própós to anoy them by our fleet. If we lend you some troops from hence, which is not improbable, wee have force enough to doe both. Wee shall have 11 battallions Prussians and 18 squadrons and near as many of the troops of Hanover next week. There are only five battalions English gone to this siege, and they are the youngest. Mr. G. Murray and the Duke of Argyll are gone already. I believe it will be hard to persuade his Grace to return at present. By the 1st of August it maybe would be possible, if the Duke of Marlborough would make him M[ajor] G[eneral], and lett him touch the apointments. But his Grace seems very backward in matters of promotion. Wee have but three brigadiers in this whole army after this detachment is made, and yet I doe not know if [wee] are like to see the number augmented. I hear my Lord Tullibardine has got something but I doe not know what, nor by what means he is a coming. My hearty service to Loudoun and your family. If I had more time I should write more particularly.

MR. JAMES ERSKINE to his brother, THE EARL OF MAR.

1706, June 22. Edinburgh.—This town is still very thin. Salton came to it two or three days ago, and is in a great rage against the Union. I supped with him yesternight all alone. After a great deal of talk about it he desired me to read the 3d. section of Mr. Hodge's 1st book on that subject, and if it did not convince me how pernicious ane incorporating Union is he would know what to think of me. He does not believe any of you to be cordially for it except the Dallrymples, and for their paines he swears they ought all to be dragged at horse's taills. I fancy he is out in the reckoning he makes of people's

inclinations for it. He believes that the nation is generally so averse to it that it will not stand out one sederunt in the Parliament, and that the promoters of it will think themselves happy if they can get it quickly smothered; but that he and those against it will endeavour to bring it in and have it debated that they may oppose it for ever. He thinks, too, that it will not carry in the English Parliament tho' it should be ratifyed in ours. He is as angry at the squadrone and at the D[uke] of H[amilton] as ever. Kelly's sentiments of the Union seem not to differ much from Salton's, only Salton is alltogether singular in believing that it will meet with so very few friends in our Parliament. I confess there are a great many much against it, and some people's politicks here are that it will break the present Ministry's Court if you have undertaken to carry it through, for they are perswaded it will not do. I think there seems to be very many who are neither much for the Union nor against it, but are in a kind of suspense about it and know not what to think. I fancy many of the ministers are of this sort; some of them seem afraid of it, but generally they do not show much anger at it so far as I have heard, tho' severals of them do. The most part of the trading people talk pretty favourably of it. . . . . Yesterday séverals of the squadrone and the wise men of Perth came to town. I have not yet been with any of them to know their opinion, except a very litle in the coffé house this forenoon after the House rose. There is never a word now of changes at Court, and people seem all to be in suspense till you come down, and when that will be and whether the Union be yet concluded are the questions I am continually plagued with. There was a storry lately that the Queen had sent for Anandale from the Bath, and told him that she would have him and her servants good friends before they went to the Parliament; but nobody gives credit to this. Salton told me twice thrice that he was sorry you had to do with such a business as this Union. I beleive he will be glad of his instruments.

THE EARL OF MAR to the EARL OF CROMARTIE.

1706, June 23. Whitehall.—I had the honour of yours of the 8th some posts ago with a copie of your 3d letter concerning the Union. I had read your 1st and 2d before, and in general I think your Lordship has a very good notion of that affair. But, I must confess, I think you treat the treaters pritty cavalierly. For my own shair I'm very indifferent what people say of me, but realie I wou'd not have expected such a character from your Lordship as you are pleased to give me with the rest of the treaters. Notwithstanding of that I was more concern'd upon your account than anybody's else, for it does you more hurt than any concern'd. Your Lordship knew that our treaters did not take very well what you was pleased to say of them, and your Lordship cannot think that your ordring your papers to be delivered before our face to the English after you knew this was very obliging. . . The Treatie is now very near concluded

and I hope we will see you very soon in Scotland with it. We have made the best of it we cou'd, and I hope the Parliament will think it for the intrest of the nation, and so ratifie it, by which there wou'd be an end put to all our divisions and honest people wou'd get leave to live at peace and ease, and mind their affairs and the improvement of their country—a much better imploiment than the politicks. *Copy.*

JOHN AIRD, PROVOST OF GLASGOW, to the EARL OF MAR.

1706, July 4. Edinburgh.—The toun of Glasgow have presumed to address her Majesty on the happy occasion of the glorious success which God has been pleased to give her Majesty and allies against the French; and have desired me, tho' I have not the honour of your Lordships acquaintance, to trouble your Lordship herewith, humbly to signify their dutyfull and loyall affection to her Majesty and government; and likewayes to signify to your Lordship the gratefull acknowledgment they have of the many favours done by your Lordship to them. My Lord, the toun of Glasgow hath been alwayes very much oblidged to her Majesty and her ministers, but never more than they have been of late, and particularly to your Lordship.

THE BISHOP OF GLASGOW to the EARL OF MAR.

1706, July 6, Edinburgh.—I add nothing to my last save that iff the Queen sall provyd our bishops out of the bishops rents it is all now expected. For their right stands yet good to them, they having never been depryved off their benefices by anie Act of Parliament, nor their rents been annexed to the Crowne. As for the inferior clergy, they must be supported and releeved by charitable contributions from Scotland and England as heretofore; and I am sure her Majesty will charitablie contribut also for their releeff. So that the bishops are in the first place to be provyded out off their owne rents by her Majesty. Great talk passes here of the Marquis of Annandales coming into favor and trust once more. I beleeve it not, tho' I am sure he will doe all that artefice can doe to have it so. I long now to see your Lordship here; and I still think the Union, being concerted for the interest and advantage off Scotland, it wilbe confirmed and ratified in our Parliament. Wee sall prove more sensible of it quhen our episcopall ministers and people are at least connived at here (while they carrie peaceablie and dutifullie) in their meetings for religious worship, which cannot be denyd by sober Christians, at the same tyme that a toleration is established by law in England for all dissenting Protestants. Her Majesty, I'm sure, will judge so, and intimat so much to her Scots Minister of State. All persecution is heathnish and antechristian.

MR. JAMES ERSKINE to his brother, THE EARL OF MAR.

1706, July 11. Edinburgh.—People again talk mightily here of changes at Court. They still say that you are to command the Guards, and add that my Lord Annandale is to be

Seccrettary, for evry body here says that he is gone to Court, and that the Justice Clerk went several miles out of town to meet him. Some people pretend to have intelligence that the Whigg Lords are grown jealous of the Treasurer, that they would have Queensberry and all his people quite out of doors, and bring in the Justice Clerk as our chief manager, and next to him Earl Leven. They pretend that the Earl of Glasgow is entirely in with this new party, and that he has not seen the Duke of Queensberry this good whille. . . . . One part of the talk here is that there is a great confusion amongst you about the Chancellor, whom they say the Whigg Lords would have immediately laid aside. You will know by this day's minutes of Council that Captain Campbel has taken a French privateer, and an Irish ship which the privateer had taken before.

THE DUKE OF ARGYLE to the EARL OF MAR.

1706, July 18. Camp at St. Luis le Tere.—I should have receiv'd your letter before Ostend, but so it is I had it only this morning. I am extremely sorry that all my friends should desire me to doe what for aught I can as yet see I shall not be able to comply with. My Lord, it is surprising to me that my Lord Treasurer, who is a man of sense, should think of sending me up and down like a footman from one country to another without ever offering me any reward. Thier is indeed a sairtin service due from every subject to his Prince, and that I shall pay the Queen as fathfully as any body can doe; but if her ministers thinks it for her service to imploy me any forder I doe think the proposall should be attended with an offer of a reward. But I am so fare from beeing treated in this manner that I cannot obtain justice even in the army, where I doe flatter my selfe I have dun the Queen as much service, to say no more, as any body in my station. My Lord, when I have justice dun me here and am told what to expect for going to Scotland, I shall be reddy to obey my Lord Treasurer's commands. Till then I hope my friends will think it fitt I stay here, unless I have sum body put over my head; and in that cais I shall lett my Lord Marlboro give my post to sumbody who chances to be more to his mind, which will be a very noble reward for my service and I'll goe and hear Camilla in her own country.

THE MARQUIS OF MONTROSE to the EARL OF MAR.

1706, July 19. Edinburgh.—Some days ago I had a letter signed by severall of the merchants of Glasgow, in which they represent the great losses they have sustained of late by the French privatiers on the west cost, who have taken at least 13 ships belonging to the touns in the west of Scotland since the furst of May last; that tho' Captain Campbell has been mighty usefull to their trade, and has of late taken a privatier and ransomed ane Irish ship, yet that his cruise is so wide that he cannot fully serve the end; and therefor entreating that I

might represent their case to your Lordship, to see if her Majestie would be pleased to cause order a frigette to cruise for some moneths in summer on the north pairt of St. George's Channell. I caused read their letter in Councill, and there Lordships thought fitt so farr to take notice of it as to recommend it to me to write to your Lordship on this head; and that if yow thought proper they deseird yow might moove it.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1706, July 23. London.—I was unwilling to wryt any thing of Annandale all this while. By some secret negotiations of the Justice Clark (which we know of too by the by) he came up here, but he's like to go away more dissatisfied than he came. His pretensions are to the Guards, which he is not likly to succeed in, and in all appearance you'll see me Secretary in Scotland once more. But you wou'd be warrie in telling of this, for I wou'd not you or I were the authour of it for anything.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1706, July 25th. Whitehall.—You cannot immagine how agreeable it was to everybody here our concluding the Treatie and delivering of it to the Queen, which was done very solemnlie. She summond us to meet at the Council chamber at St. James. We walkt throw the rooms from that to the room her Majesty was in to receave us, where were all the ladys and the court and forrayine imbassdors. One of us and one of the English walkt togither, and so on; we on the left hand as we walkt but we were on the Queen's right hand. The Keeper and our Chancellor made a speech when they delivered the books, and then the Queen made a speech to us. People in the city were beginning to wager on the Union's proceeding or not, but the odds went on the first. This was thought undecent, therfore it is discharg'd.

THE MARQUIS OF MONTROSE to the EARL OF MAR.

1706, July 25. Edinburgh.—Lady Kilvavock has begged him to write on behalf of her son, Arthur Ross, who being aboard a merchant ship bound for Leghorne has had the misfortune to be captured by pirates and is now a slave at Algiers.

MR. JAMES ERSKINE to his brother, THE EARL OF MAR.

1706, August 3. Edinburgh.—My Lord Justice Clerk arriv'd yesternight. He makes no secret of the Treaty, and says he knows of no engadgment he is under to do it. People talk several odd things of it which they lay in Carnwarth's name. I don't know if he be the author of them; but Kelly tells me he was informed by him that none of the English during the Treaty had one of the Scots so much as to dine or drink a glass of wine with them. People are generally much disatisfy'd still that the terms agreed to are keept secret. Panmure went home yesterday

after having overcome his Brichen folks, which will make a great revolution in the politicks of that fine place.

Every body here is surpriz'd with Sir D[avid] Dallrymple's demitting his post of Sollicitor. My Lord Tillecultry and Sir James Dallrymple say they know nothing of it, but Will Carmichael tells me he got a letter for it from Sir David himself. We hear he has been rob'd by the way. This minds me of the Queen's Advocat who is no friend to the Union, in so much that Salton is now friends with him and was lately visiting him, tho' I believe he had a litle private business of one of his friends to do with him. But before, all the business in the world would not have made Salton so much as speak to him. I fancy he has at last fallen on the ordinary politick to laye off and be dissatisfyed, that he may get the next vaccancy on the bench which he has been so long pretending to.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1706, August 6. Whitehall.—I came back from Windsore late yesternight. The Queen ordred me to come back there on Saturday, so it will be Wednesday come se'night before I can begin my jurnie. But after that God willing I will not stay. I belive Loudoun and I will come togither; and the Commissioner setts off the end of that week or the begining of that thereafter. Leven and Glasgow go to-morow or Thursday, and Ann[andale] this week too. Just as we all were, notwithstanding of all the stories you had; and I belive Loudoun nor I either are not in great danger of being changed for any of them. The Queen is to give us two the Green R[ibbon] on Saturday nixt, but tel nobody of this until you hear otherwayes of it being done, for no body here is to know of it till after it is over. People will see by this that we are pretty much in favour.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1706, August 14. Whitehall.—This comes by a flying pacquet with a letter adjurning the Parliament to the 19th of September. Loudoun and I got the green ribans on Saturday last and we begin our jurnie togither to-morow, but our wives being with us it will not be very quick. . . . The Duke of Queensberry comes of nixt week.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1706, August 18. Stamford.—I hope Salton and I shall still be in speaking terms tho' not of the same oppinion in this measure of the Union. I have not forgot his case of instruments. . . . . I belive we shall have pritty hard work in the Parliament, but the terms of the Union are so reasonable, fair and advantagious, that if we have some time before the Parliament meet to discourse people I doubt not of gaining grownd, and the more because if the Union shou'd fail I see not what posiblie we can do to save our country from ruin.

THE LORD CHANCELLOR to the EARL OF MAR.

1706, August 20. Edinburgh.—I have spok fullie with such of the Parlament men as are in toun. I have verie good hops the Earl Marchmont will concurr heartilie, so my Lord Torphichen told me this day, as did the Justice Clerk who hes seen him. Cromertie and his brother are heartilie for it; so is Dirltoun, Tillicoutrie, Sir Robert Dickson, and I think Pitcurr. The touns and merchants begin to understand it. I leave several of the servants hier, and I shall doe in the countrie what I can. The Parliament is adjorned ; I wish it may meet at that time, for we know not what to doe with the armie after September.

MR. JAMES ERSKINE to his brother, THE EARL OF MAR.

1706, August 20. Edinburgh.—I had ane accidental conversation with Salton lately on the Union. He urged his old argument which he believed invincible that the Parliament could not ratify ane Union unless called expressly for that effect. I pulled out of my pocket the proclamation calling this present Parliament where the ratifying of ane Union is the principall thing it is conveened for. Salton, for as much as one would believe he had thought on that mater, had never so much as dreamed that such a thing was in the proclamation. His answers to it were not very satisfying. He turned angry, and so I said no more, but be concluded in his ordinary strain that it was a damn'd villanous Union and so much the more because those who pretended to carry it on were certainly against it in their minds. I told him that I had seen him once or twice last spring very positive in some such things and afterwards was forc't to own that his intelligence had not been so good. Ay but I'm sure of this, said he. Thus we ended as to the Union and fell a talking of books and building of houses. There does not seem at present to be quite so furious a spete against the Union as there was some time ago, but whether this be because many people are gone out of town I can not tell. As to the ministers, folks give different accounts still of their inclinations according to those of them they converse with. I find that some of the Episcopal blades pretend to favour it and others the contrary, just as for any thing I can see the Presbiterians do. There is a little book published against it, written (as they say) by Wylie of Hamilton. Salton's argument I just now mentioned and the Covenant is what he principally insists on.

SIR DAVID NAIRNE to the EARL OF MAR.

1706, August 24. Whitehall.—The D[uke] of Q[ueensberry] promised a copy of the articles to Grant, and he is affrayd he take it ill they are not sent already. By his Grace's command I here send a coppy for that end. The delay may be excused by the hurry of business. I was in after the Treaty and getting the minuts faire write, and being only to be trusted to one clerk

they could not be sooner dispatched. The Earle of Loudoun shall have a coppy as soon as it can be write. This was designd for his Lordship.

My Lord Duke hears that the Mar[quis] of Montross is but coole in the matter. Whither it proceeds from not knowing the terms or not your Lordship will soon judge, and if soe he thinks your Lordship and the Earles of Loudoun and Glasgow should meet with him and on ingadgements of secrecy let him see the Articles. For should he be indifferent in the matter it will be a reflection on all of you who concurred in recommending him. Perhaps he will not be soe free with the Chancellor.

Rev. John Logan to the Earl of Mar.

1706, August 27. Alloa.—I had the honour of a line from you some weekes agoe, and would have given your Lordship my thoughts thereon had ye not been on your way for Scotland. The Union between the crouns of Scotland and England beeing now concluded by the treaters impoured and nominat for that end is the subject of every man's discourse here, and tho' the terms thereof have not as yet taken air, yet generally there appears ane aversione at ane incorporatione with England be the conditions thereof never so favourable or plausible, flowing, your Lordship may be persuaded, from different principles in Jacobites and true Revolutionists. The ministrie of this Nationall Church have been hitherto silent (except some who are suspected to be byassed by thos of leading influence in their corner), and are loath as ministers to interfier with the State in any civill affair, tho' otherwayes as men and subjects they are equally concerned with others in the resignatione of the soveraignty; and pains have been taken at the last session of the Commission of the Assembly to prevent any rupture on that head by their refusall of a nationall fast, zelously pleaded for and pressed after by some before the doun sitting of the Parliament. Yet all of them I converse with in privatt are of a dissenting judgment from an incorporat Union, and doe looke therupon both as sinfull in itself and of dangerous consequence to the established government of this Church, it beeing (as is thought by some) contradictory to the covenants against prelacy in the three dominions quherto this nation stand engadged, and ane manifest exposing of their government to patent danger in regard the British Parliament may at after pleasure evert any fundamentall in our constitution without the consent of their constituents, and this the rather they are apprehensive of that in one natione tuo legally authorized forms of Church government are unpresedented and were never heard of, and so cannot be thought to stand long in Brittain. I doubt not but on the first tabling of this transactione before the Parliament there will be ane addresse given in by this Church for the security of her religion and government, and I hope your Lordship shall use your power and influence and give effectuall concurrence for hedging and fensing it against after infringements and incursions that may be made therupon, seeing there

are strong sacramentall tyes for preserving and supporting the English Church, her goverument and ceremonies. . . . . Your Lordship hath a cursory account of the privat sentiments of many in the premisses quhich I have gathred from frequent conversations on the point. The ministers in this country have been wise and prudent and never done any thing in the matter, but prayed to God for Divine conduct to thos that had the management therof among their hands.

SIR DAVID NAIRNE to the EARL OF MAR.

1706, August 29. Whitehall.—Haveing by this post write to the Earle of Loudoun of all done in publick business, I need not repeat the same to your Lordship. On Tewsdays evening my Lord Thresaurer went to my Lord Whartons house at Winsington where he stays till Saturday. I herewith send to your Lordship the coppys of two letters write to the D[uke] of Queensbery the originalls of which are sent to the Earle of Loudoun. Your Lordship knows what noise plotts make, and at this time in the beginning of Parliament it may doe more. Therfore my Lord Duke recommends to your Lordships care to goe secretly about the enquirie. I believe his Grace will certainly part from hence Munday nixt. He is very impatient to be gone. I am mightyly pleased to hear from thence that people begins to be more reasonable. I hope they will grow more and more soe. I finde Paterson will goe doune, and is like to have something towards his charges. He has given in a long paper to the Treasurer to show the good he could doe, and after this with the noise he can make has made my Lord Treasurer think it not safe to detain him, lest if things should miscarry the not sending him may be a crime. Soe in short I finde he will goe, which I am sorry for, and the more evrie day I think on it. But there is no helpe. I am sure the less regard is showen to him the better. The Queen has promised to give your Lordship and the Earl of Loudoun a consideration for your expences, but is not willing to doe it now.

Enclosed are the copies of the letters referred to.

(1.) 1706, Cockpit, 28th August.—"My Lord, a gentleman lately come from St. Germains, and now in custody, having upon his examination mentioned one Caron as a person employed between that Court and some disaffected persons in Scotland, and he having described the said Caron to be a middle siz'd man, of a flushy complexion, with freckles in his face and some on his hands, wears a light perwig, and is near 40 years of age, I send your Grace this description of him, and am, my Lord, your Graces most humble obedient servant, C. HEDGES.

Duke of Queensberry."

(2.) "1706, August 27th, past nine at night.—My Lord, it is too late to waite on your Grace this night in person, wherefore I take the liberty to acquaint yow that I have it from verry good information that Colonell Hooke is sent from France just

now a second tyme to Scotland to negotiate affaires with the discontented there, and to hinder the Union. He is a bold, dextrous man, and if he could be taken knows verry much. Captain Caron sett him on shoare the tyme before, and I believe dos so now. It will not be difficult to catch him if proper means be used with great secrecy, and it will verry well recompence your pains. I thought it for the Queens service to give this information to your Grace, to whom I am with the greatest respect, my Lord, your Grace's most humble and most obedient servant, Ro. Harley.

His Grace D[uke] Queensberry."

Lord Dalrymple to the Earl of Mar.

1706, September 9th. Alost.—After a whole age of silence, my dear Lord, I had your letter by Captain Ross, which happen'd to come slow by an accident happen'd him—he was taken prisoner coming to the army. We are now pretty near the end of our campagne. I'm so far in my way back from the siege of Dendermonde to the great army that marches to besiege Ath. The condition of the Dutch magazines do's not allow the undertaking of anything more considerable, which the goodness and number of our troops might very well pretend to, but these gentlemen had not laid their account with so many conquests; so we want bombshells and grenads. But we may be comforted with what has happen'd. If the siege of Ath keeps us till the end of September, we shall think of winter quarters then, and goe to 'em I reckon about the midle of October—about the time your campagne begins, which I most heartily wish may be prosperous. The Duke of Marlborough is now indeavouring to send you a reinforcement, and I'm persuaded he'le succeed. . . . . Pray, dear governour, make haste with your Union, for the success of this campagne leaves no hope of further war. . . . . We are in great joy for the recovering of Turin, of which nobody doubts any longer.

Sir David Nairne to the Earl of Mar.

1706, September 10.—This day my Lord Halifax told me he had a letter from the Marquis of Tillybarden desireing him to interseed for Lord John Hay's regiment to him. My Lord's oppinion is that noe bodye should have that regiment at this time. The not disposeing of it may make the Duke of Athole hope and not be soe violent as otherways. I am to speake about this to my Lord Treasurer the morrow. My Lord asked me particularly about the Advocate. I told him that by what accounts I had he had not yet begun to act for it. He asked if Mr. Scot, who is at the Court of Hanover and, I think, maryd the Advocat's daughter, had any influence upon him, and if soe he could get a complyment from that Court of a letter. I know the mariage was stole, but how matters are since accommodate I know not; therfor you will informe yourselfe in this and let me hear as soon as conveniency will allow.

There is ane other story write from thence, and I am told it obtains amongst men of interest, and write as if it were asserted by men of interest, viz., that my Lord Treasurer, and Secretarie Harly are coole upon the grand affaire. There is a designe in spreading such a story, and I doubt not but it will come to some of there ears. Therfore if such things are talked it were better I should tell them of it, and that your Lordship and others have removed that ill impression. Otherways you know some people are willing to atribut all good offices to there oune doeings only.

SIR DAVID NAIRNE to the EARL OF MAR.

1706, September 10. Whitehall.—I was this morning with my Lord Halifax, where hapened to be Sir James Forbess and some other company. Evrie body is fonde to hear from Scotland and how people are disposed there. Sir James took occasion to say that he heard the Advocate was much for the Union. All I said was that I beleived he was better informed then he had been befor, and that as all people were more and more there violence against it wold abaite. I wish your Lordship and the Earle of Loudoun from time to time wold advise how people are affected especially even all those in the service; for if any of those should be coole or oppose and friends here not advised of it, it will ley most heavy on the Commissioner and your two Lordships. I have not been at Court since the Commissioner went, not haveing any business to call me. I hear the Queen comes to Kinsingtoun the morrow or Thursday. I remember it was once spoak off to have my Lord De Lorain a Privy Councellor. I beleive it was not done unless the blank letter your lordship had was for him. He sent to me yesterday to know when the Parliament was to sit. I sent word that it wold certainly the end of this month. I beleive it will be the 19th befor the Commissioner is at Edinburgh. . . Just now a gentleman is come in and tells me news is come by a ship that Prince Euginé has reased the sage of Turrin, fallen upon the Duke of Orleans, woonded him and beat his armies, and killed Count Mersin. I know its beleived at Court that there has been a batle in Spain and that the Duke of Anjew is totally routed. I write not this with such authority as to be taken notice of, altho' I am soe desireous to have it true that I beleive both.

SIR DAVID NAIRNE to the EARL OF MAR.

1706, September 12.—Before you went you heard that the M[arquis] of An[nandale] paid severall visits in his way doun, but you could hardly imagined he wold be soe imprudent as to have affected finding out such a company as he did, which were those famous for being Jac[obite]s, and openly avowed opposers to the Union. Particularly he went thro Northamptonshire, and there visited and stayed a night or two with Sir Justinian Isham, and not only there, but in other places drank hilter skilter. I can tell you that friends here knows evrie stop he made, and I believe he has done his business with them effectually.

THE EARL OF MAR to the LORD TREASURER.

1706, September 16. Edinburgh.—I delayed writing all this time till I should have occasion of talking with people, that so I could the better inform your Lordship how they are disposed towards our grand affair. When I came here first there were very few people in town, so I went to my country house and stayed till Saturday last. I converst with a great many, and I found most of them prepossest against the Union; but when I told them what it was and the advantages we wou'd have by it, they were surprized and acknowledged they did not expect such terms. So that most of them were mightily softned and some entirely converted. The Presbyterian ministers were most allarmed, but now when they know it and that their Kirk will be secured, they are better satisfyed and severealls of them declare for it; others of them are still in suspence, and some will not be convinced. The Advocat, on whome they very much rely, declared himself so much and so long against it, that they got such ane impression of it that its very hard to perswade them of the contrary. However he has now done most of the hurt he can, and since the Queen's servants came down he has not spoke against it. He confesses the terms are good and fair, but one told me that when he said this to him he said likeways that for all that it was destruction to us. He has said so much against it that I'm affraid he will hardly act vigorously for it in Parliament. But he'll either go along with us in show (I believe) or else make the gout ane excuse for absenting himself. If some people here would not make such a bustle about him as if he were absolutly necessary for carrying it thorow I believe he wou'd be the sooner gain'd. It is most certain that he has done more hurt to it than all the opposers beside. The Duke of Hamilton is here and I have been with him. I believe he is not yet determin'd what part to act; if he find the opposing party strong he'll certainly be against it, but if otherways I have ground to believe he'll harken to reason. I have not seen the Duke of Atholle nor the Marquiss of Tweedale, so can say nothing of them. Upon the wholle affair, untill the Parliament once meet and so the members be all come here, it is hard to make such a conjecture that your Lordship can rely on. But I really have better hopes of success since I came to Scotland, for since the terms were known theres a great many declare themselves for it that were formerly otherways, and the humor against it every where is abated. I know of nobody who were with us last Parliament who we have lost, and I know severalls that we have gain'd of the opposing side. Cromarty and Marchmont are very zealous for it, and I hope all their people will go along with us too. The Commissioner is to be here on Wednesday. I go to-morrow to meet him on the road, which made me write this to-night and leave it here to go by to-morrow's post. The project that some of our opposers are on is to join the two opposing partys in the measure of declaring the successor without the Union, and if the two partys join in this they will be strong in it against the Union; tho' I hardly believe many

of them will join together, notwithstanding of the pains that is taken in it. I'm told that the Duke of Hamilton would go into that measure if he could get his folks to go along with him. If this measure shou'd take I'm affraid the Presbyterian ministers would go into it. Therefor, if your Lordship think it fit, I wish you wou'd write to the Commissioner or any of the Queen's servants here, to be shown to the Advocat, that the Queen expects all in her service wou'd act vigorously for the Union, else they can not expect her favour, nor to continue in her service; and that they shou'd immediately declare themselves. This, I'm perswaded, wou'd make him act if anything will, and better than fairer words. But this with submission. Your Lordship sees I have freely wrote what I know of people's mind in this affair, which I wou'd not have done to anybody else. None here knows of my writing so, but I will allways think myself oblig'd to let your Lordship know the true state of things so far as I can. I will never forget the obligations I had from your Lordship, and I wish I may any way be capable to be serviceable to you, for I am, etc.

Sir David Nairne to the Earl of Mar.

1706, September 17.—My Lord Treasurer told me this morning that my Lord Malborrow had got now the Duke of Argyle in a very good humor on making him or promising to make him Major-Generall, upon which his Grace has promised to goe to the Parliament and serve the Queen in the affaire of the Union. But whether he will make the necessary hast to goe we know not. He told me also that to please the Earle of of Stairs his son was made a briggadier, and bid me write soe to his Lordship. What I wold inferr from these is that by the Courts taking these methods to gaine people shows how earnest they are in it. I doe assure your Lordship its expected that evrie post some account should come from the servants, and especially the Secretaries, how people's tempers are. The Chancellor fealls not that. He says he had a message from the Earl of Cromertie to assure him of his concurrence.

Sir David Nairne to the Earl of Mar.

1706, September 17. Whitehall.—The Queen commanded me to give my Lord Commissioner ane account of the glorious victory obtained in Italy over the French by the Duke of Savoy and Prince Eugine, upon which it is her Majestys pleasure that the usuall demonstrations of joy be exprest on this occasion as has been in the like cases. My Lord Treasurer told me that wee have taken 6,000 souldiers and 300 officers prisoners, and taken 150 cannon and the horses of ten regiments of dragoons. The number of the slain is not yet knowen, but that amongst them are twelve generall officers. There are 2,000 deserters from the French, and in short there armie which was computed to upwards of 50,000 men reduced to 14,000. His Lordship also told me that the Duke of Argyle was made Major-Generall,

and was to come over and goe to Scotland presently; and since my comeing to toun I hear his Grace came hither last night. My Lord Dalrymple is made a briggadear.

THE EARL OF MAR to the LORD TREASURER.

1706, September 21. Edinburgh.—Since my Lord Commissioner writes to your Lordship by this flying pacquet, I shall not give you much trouble, for I doubt not but he informs your Lordship fully of the state of affairs here and how people stand affected to the Union. Your Lordship heard formerly that the Queen's Advocat did not like it, and notwithstanding of all the Commissioner and the rest of the Queen's servants can say to him he continues of his own oppinion, and argu'd against it to us all together. However he said he thought a separation of the two kingdoms ruin, and that he wou'd do what he can to bring himself up to our oppinion; and if he could not, he shou'd do no harm. Or if we thought his place cou'd be given to any body who wou'd do better service and was more convinced of the advantages of the Union, he wou'd resign it very freely without any grudge. His main arguments against it are the loosing of our soveraignity and that a tolleration will ruin Presbitrie. He gave the Chancellor a paper with his reasons against it much to the same purpose with what he had said to us. But certainly his being against it and acting the part he does must be with a design, for a man of his sense cou'd never be convinc'd with those weak reasons and arguments he makes use of. What is the properest method to be taken with him your Lordship is best judge. There are very few of the members of Parliament yet come'd to town, but we have wrote for our friends and hope they will be soon here. When they come we will be able I hope to give your Lordship such ane account of people's inclinations that you can in some measure judge what success we will probably have, which is impossible to do just now; tho' we have fully more reason to hope good success than before we came to Scotland. The Commissioner is now on the consideration with the servants what are the most adviseable methods and measures for manadging and carrying on business when the Parliament meets, and when the resolution is taken your Lordship may be sure it will be laid before you. *Copy.*

THE EARL OF MAR to MR. HARLEY.

1706, September 21. Edinburgh.—Some time ago I had a letter from Sir David Nairne with two informations that the Duke of Queensberry had from you and Sir Charles Hedges of two persons being come from France to Scotland. I was then going to my country house for some days, so I spoke to the Queen's Advocat of the affair, and left the informations with him that he might inquire after two persons named. Which he has done, and got some account of one of them, as I have ordered Sir David Nairne to show you. We are endeavouring to make a further discovery of them, and if we be so luckie to

succeed in it, you shall immediately know it. I was frequently to have waited of you the two days before I left London, but was not so fortunat as to find you, for which I was very sorrie. As to our affaires here, I cannot yet give you a certain account, for there are but few of the Parliament men yet come to town. I have given my Lord Treasurer as full an account of affaires and people's inclinations here as I can. I doubt not but you will know it from him, so I will not trouble you with repeating it. Tho' I cannot say we are sure of success, yet we have more reason to hope for it than when we came from London, for the more the Treaty is known the more it is lik't by most people. And the Presbiterian ministers who were mightily allarm'd for fear of their Kirk are now turning about and I hope will be got right; tho' a great deal of pains has been taken to give them a bad impression of it. Those who will oppose the Union are pretty much disconcerted, and have not yet taken up their ground where they will stand. Great endeavours are made by some to unite those partys against us and the Union, but it is not very probable that will be easily done, they being of so different principles. However I believe they will oppose the great affair, tho not all the same way. When our scene opens [I shall write] more fully if it be not troublesome to you. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, September 21. Whitehall.—He has come from Windsor this evening in the most violent tempest of wind and rain that ever he travelled in. The Queen asked if any precepts had been sent this year to the bishops as formerly, and taking out the scheme of the bishops' rent, wished information as to the sums to be given by recommendation of the Commission of General Assembly. She observed that a sum of £600 was in the hands of the receivers, and asked whether if she granted warrants these would be paid. He could not say they would, but advised her Majesty to wait till he obtained more certain information. She is always more concerned when speaking upon this subject than any other. Her Majesty had a little of the gout yesterday and to-day.

The Earl of Mar to Sir David Nairne.

1706, September 24. Edinburgh.—I received yours of the 17th on Sunday morning, with the good and glorious news from Italy, for which we had rejoicings here on Munday. I allso received yours of the 19th this morning. I'm very glad the Court has done those things for the Duke of Argyll which he desired, and I hope he'll come down here in good humor. It falls well out that he's to come, for some of his people were beginning to talk pretty oddly of our affairs, and we were affraid of some difficulty in geting them manadged, so we were thinking of writing to you to speak to friends to get them wrote to. Since the Duke is now coming himself, there will, I hope, be no need of it, but if he were not coming there would be a great

deal. The Commissioner has been a little indisposed thirr two days with a pain in his side, but he is now better, tho' he does not write to-night. Ther's litle past since our last by the express worth writing, and probably he'll send ane other express to-morrow, which made him the more indifferent of writing by this post. The Earl of Ruglen is in England seeing his lady's friends, and some people say he will not be back to the Parliament; but to make sure if any of our friends have any interest with his lady's, we wish you cou'd get them to use it with them that they may perswade him not to come down to Parliament. You wou'd mind to speak to the Queen of that paper of Forbess's in which she thought something extraordinary, and if she still think so let me know what it is. This is all I now mind. . . . If the Duke of Argyle be yet with you, pray give him my most humble service. I had wrote to him if I did not fancy he wou'd be com'd off before this post reach London.

DAVID CAMPBELL to the EARL OF MAR.

1706, September 28. London.—The Duke of Argyle has desired him to write and say that he leaves for Scotland by coach on Monday and will be with him in a fortnight. If the Parliament could be put off by adjournments till his arrival "to shaw his inclinations and us his intrist for so good a cause under the caire of his best frinds, it will be most axcptabell."

THE EARL OF MAR to SIR DAVID NAIRNE.

1706, September 28. Edinburgh.—The Treasury sat yesterday. I read that part of your last letter to them concerning the bishops' rents. The present collector of them was called. He told that during his intromission (which is but for a year) all he had got was superexpended, as he was ready to make appear by his accompts; which he's appointed to lay before a quorum of Treasury immediately, and ane abreviat of them shall be sent you for the Queen's satisfaction. He who was formerly collector of those rents is now troubled with the palsy, and the Treasury could never yet bring him to ane accompt; but now they are forcing him to it, and in a little time I hope to have an abreviat of them allso to send you to be laid before the Queen. But in the mean time four of the bishops are so poor and infirm that they can hardly live without the Queen's charity which she used to give them of 100 libs a piece; therefor if her Majesty please to order that to be given them out of the rests of the Bishop's rents, and failing of that out of the first and readyest of her revenue, we shall do what we can to make it effectual; and then the Queen may considder how to dispose of what is free of the bishops' rents in time coming. But just now it will be ane act of great charity to give the four bishops the 100 libs a piece. I believe it will be absolutely necessary for the Queen's affairs here that her Majesty should grant those appropriations out of the bishops' rents which are recommended by the

Assembly and Treasury. Therefor if she will be pleased to send them down to the Commissioner or my Lord Loudoun or me, they shall only be given as we find absolute necessity. And the sooner they come the better, particularly that of Inverness. Pray read this part of my letter to the Queen, which I intirlly submit to her. . . . .

I can say litle more of our grand affair than I told you in my former letters, for the Parliament men are not yet com'd to town. But we are dayly gaining some, and the Presbyterian ministers grow every day better inclin'd, so we live in good hopes. We had a meeting of all the Queen's servants who were in town t'other day at the Abbay, and several others too who are members of Parliament, and had not been at the Treaty, particularly Montrose, Eglington, Galloway, Dunmore, Cromarty and the Advocat. We read and explain'd the Treaty to them. Cromarty made the ordinary difficultys to it, a purpose to have them spoke to and removed from the rest of our company, which was done so fully that none of them had any thing to say. But the Advcoat opened not his mouth the wholle time, but at last said to one that if all was gold that glistered it wou'd do well. He told the Commissioner one day since I wrote last, that he was more softned than he was and lik'd it better, and if he was any body's convert he wou'd be his. So we hope if he do us no good we will get him keept from doing us harm. Eglington has declar'd himself for the Union very frankly.

The Earl of Mar to Sir David Nairne.

1706, October 4. Edinburgh.—The Parliament mett yesterday but not at all throng of members, every body expecting an adjournment for some dayes. After the House was constitute Sir Alexander Bruce claim'd to take place as Earle of Kingcairne. There was a protestatione and petitione against him by Lady Mary Cochran, the late Earle's sister, founded upon a procutry of resignatiọn made by his brother in hir favours, which was in Sir Alexander's hands, for which they produced his recept. And though the resignatione upon the procutry was not yett made in the Soveraign's hands, yett it was not refused. So, though it was not a clear right to Lady Mary, yet it invallidated Sir Alexander's right, upon which they were pursueing him before the judge ordinar. They instanced a caise exactlie parralel to this of the Lord Olliphants, which was determined by the Session, the King being present as it were in Lady Marie's favours, and the King to make it up to the heirs male gave him an other patent of honor. I once had pritty good ground to beleive that Sir Alexander would be for the Union, but since his son Tom cam doun he has declaired himself openlie against it. The Queen's servants would not appear much against Sir Alexander because it lookt lyke picke, and it was not fitt for them to occasion debeat the first day of a Parliament. Tho' indeed wee were not displeased to see other people tak Broomie to task. When it was lyke to com to a

vote wee endeavored to gett it delay'd, that Broom might have an opportunitie to apply to us to help him in this affair, for which wee hoped to gain him to our side. This he wou'd not hear of, but prest to have his affair presentlie determined, so the vote was put. Admitt presentlie or grant a farther hearing to Lady Mary and it carried to hear by 19 votes, which was no small mortification to Sir Alexander. But how he will beheave bétuixt and nixt sederunt, at which time the hearing is to be, I yett know not. It is probable he will carrie it att last. But som people intend to give him play for it. The Advocat appeared stronglie for him and the opposeing partie. Annandaill and the Justice Clerk and all Tueadles people voted for him. Montrose voted for him, but he is Mr. Bruce's near relation, so that was nothing. This cannot be called a pairtie vote, for severall of our folks were for him. But this may be observed of it, that no man who will be probablie against the Union was against him, and severalls who will be for it was for him, and yett he lost it by 19. Most of the absent members wou'd have been against him.

After this affair was over the Queen's letter was read, then the Commissioner and Chancelor made their speeches, then the Artickles of the Union were read and proposed to be printed. The Duke of Hamilton proposed that the minuts of the Treatie might be printed too. Wee told that wee agreed, but it was fitt to have them read first, which most people thought; but they were so fond of seing them that the reading of them first was dispenced with, so all is to be printed. The Parliament was then adjourned till Thursday nixt, which was the longest it could be put off; and then I hope we shall be well conveened, for severalls of our friends have wryt to us that they are comeing before that tim, and wee are wryting express for others. Wee have wryt to the Duke of Argyle, which will meett him on the road, that wee could not putt off the Parliament longer, therfor wished he wou'd take post. His brother, Lord Archie, was out of toun tuo dayes ago, notwithstanding of all our endeavours to keep him. But if once his brother were com I hope all will be right on that side. I thought it needless to trouble the Treasurer at this tim, haveing so leitle of consequence to wryt, but if he pleases you may shoe him this. Before our nixt meeting of Parliament you shall hear how wee intend to proceed in our bussiness, but wee are not yett fullie resolved, so I'll say nothing of it now. The Duke of Hamiltone yesterday as he was comeing out of his coach from the Parliament fell and strained his leg. He saw the Commissioner yesterday morning before wee went to the House, as everie body else did, and supt with him, except Athole, Annandale and Lothian.

You may be shure that our hopes of success shall not make us slaken our dilligence. The opposeing side are yett disconserted and seem not to trust to their own strength. My Lord Montrose opens now fullie for our grand affair and is takeing paines with other people, and I beleive with success; so by all appearance wee may have good hopes, and very quicklie the faite of the

Union will be seen, tho' I cannot yett say that wee are possetivlie shure of succeeding. Annandale appears yett to be very cross, and unless he see us very strong will, I beleive, be against us. Mr. Lockhart still keeps companie with the opposeing partie, and I am assured by most people that he's to be against us. This is all I can now say, only I beleive the Commissioner has wryt to my Lord Treasurer and sent you the minuts. . . . . I beleive the Queen will think it prittie odd that her Advocat should appear so much for Broomhall, when all the effect of the thing being delayed would be to bring it in the Queen's power to quhich of them to give the title, and so certainlie to gain one or other of them. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, October 5.—I observe by your Lordships that the Earl of Cromertie had acted a very good part at the meeting when the Articles were read. I have a long letter wrote by him on the subject with some arguments he used at it, and the particular loss he wold have by the reduction of the representation, and then he desirs I may tell the Queen of it lest her servants should not think it worth noticeing; tho' he says the Commissioner and Earl of Stairs gave him particular thanks for it. Soe that I read part of your letter to the Queen, and told her both your Lordship and the Commissioner had done him justice. With which she was very well pleased, and commanded me to write to him that she took kindly what he had done and said for promoting of the Union, and lykways to tell him from her Majesty that her servants had done him justice. Whither the Queen told my Lord Treasurer of what my Lord Cromertie had done or said I know not, but I am apt to think it was wrote to me from other hands, for I can not learn that I was with the Queen from the time of my seeing her Majesty till I saw his Lordship; in which caice it was lucky I told the Queen as I did, for my Lord Treasurer this morning said that he wished I wold tell my Lord Sunderland and others of Cromertis procedure, for that they had but litle trust to give him even upon this subject of the Union, tho' he knew the Queen had always a good oppinion of him as to that. Now befor I have or at lest take ane opportunity of saying any thing to friends at London on the subject, I may have your Lordship's answer to know how far [it] is needfull to touch this business with them.

Hurry of business made me forget to tell your Lordship that I saw Mr. Secretarie Harly on Sunday, and he told me that Carron had been latly on the North coast and had set on shoar Colonell Cook, which I think was the name;* and that the Colonell had been at my Lady Arrolls house in the North. Its said D[uke] H[amilton] will not oppose violently. I shall be glaid if your Lordship will let me know what English men are there, for as I understand there are some that writs evrie post to

* It should, of course, be Colonel Hook.

some of the W[hig] Lords; for which reason I wish you wold be very particular when there is the lest occasion that others may not be looked upon as more dilligent than others. *Verbum sapienti.*

ROBERT HARLEY, SECRETARY, to the EARL OF MAR.

1706, October 7.—I receiv'd the honor of your Lordships letter, and immediatly acquainted the Queen with the contents of it, who very justly expressed her satisfaction in your Lordships great care. The person who was nam'd to be brought over by Caron has been gone back some time since into Flanders; but I hear there are other sort of emissarys sent by that Court from abroad, of which I expect by the first letters to receive a more particular account, which I will not fail to transmit to your Lordship as soon as it comes to my hand.

And now I must crave leave to wish your Lordship most heartily success in that great, noble, just, and useful designe you are upon of uniting the two nations; and I hope it will be equal to the care and pains you take in it.

THE EARL OF MAR to the LORD TREASURER.

1706, October 8.—I cannot yet give your Lordship much more assurance of the success of the Queen's affairs here, than I did in my last. Only this I can assure your Lordship that evry day there's more appearance of the Union succeeding. My Lord Montrose has now fully declar'd himself and used his interrest with several people; I hope with very good success. My Lord Tweddale and most of his people appear very reasonable, and I hope will join with us in carrying it throw. I told his Lordship that you had been pleased particularly to recommend to me to do what I cou'd for geting him payment of what is owing him by the Queen when he was in her service, and I assured him of all the assistance in my power, and that I believed much would depend on himself to make it in my power or not. He was very sensible of your Lordships kindness and I believe he'll speak to me of his affair afterwards. I knew your Lordship was inform'd of what passt on Thursday last at the opening of the Parliament, so that I did not trouble you with it. We meet again on Thursday next, and I believe there will only be discoursing of the Treaty in generall, without coming to any particular vote, unless it offer very fair, in case people shou'd think we drive too hard in ane affair of that consequence. We expect the Duke of Argyle here to-night or to-morrow. I hope we shall find him in a better temper than his brother is.

Your Lordship may remember that at my coming from London I spoke to you of a brother of mine who has studyed the law and is not ane ill proficient. He's just now ane advocat, and last spring the Queen was pleased to make him one of her receivers here, upon Sir Alexander Ogilvie's preferment to the Bench. My pretensions for him was the first vaccancy that happen'd in the Session. One of the Lords of Session, Sir Archibald Hope of Rankeillor, is just a dying, which makes me

give your Lordship this trouble. At the time I spoke to you, the Commissioner gave me his promise to use his interrest for my brother at the first vaccancy, and I hope is for him still; tho I know he both is and will be very much sollicited by others. I wou'd be loath to speak for my brother if he were not fit for that post nor capable to do the Queen service, but since he's both I hope your Lordship will forgive me for begging your protection, and that you'll be pleased to speak to the Queen in his favours. I'm not to press the Queen to do it now if her Majesty and your Lordship think it better not to be done till after the Parliament; but I allways thought it more for the Queen's service the sooner places in Scotland were disposed of. But I being so nearly concern'd in this I'm not a fitt adviser. My Lord Rankiler is both a Lord of Session and Justiciary. To make it easy to the Queen, I only pretend to the first for my brother, and her Majesty may dispose of his place as one of the Receivers as she pleases. If your Lordship please to speak to the Queen for my brother, it will not be new to her, for I once mentioned it to her Majesty. Since ever I came into the Queen's service I resolved to put my self under your Lordship's protection and direction, and your Lordship show'd me so much of your countenance when I was last at London that I presum'd I was not unfavourable to you, and for which I wish I were capable to serve your Lordship. My Lord, I intirely depend on you, not only in this but in any favour I can ever pretend to from the Queen; and however your Lordship pleases to dispose of me or any of my pretensions, it shall allways be very pleasing to me, since it comes from your hands. . . . Since writing I have seen my Lord Montrose. He thinks he will bring a good number of people into the measure, but he wou'd not say it positively till some days hence. However, it must be acknowledged that he acts a very fair and handsom part, and if we succeed a great deal will be owing to him. When my Lord Argyle comes here I hope he'll join cordially with us, and then we are sure of succeeding; but his brother is just now in such a humor that if he shou'd influence the Duke it may give us trouble. But I hope the Duke is wiser; tho' if it shou'd happen otherways I hope we shall carry the grand affair notwithstanding.

The great success the Queen's affairs have had abroad this campaign, and the dayly increase of them, makes me hope that her affairs in Scotland will have the same fate, by which her Majesty will not only give peace and liberty to Europe, but unity and happyness to this wholle island.

The Earl of Mar to the Queen,

1706, October 8. Edinburgh.—May it please your Majestie, I would have presumed to give your Majestie ane account of your affairs here sooner, if I had not wrote to my Lord Treasurer fully, who I know wou'd inform your Majesty of them. We can not yet positively say that we are sure of success, but evry day

gives us more ground to hope. My Lord Montrose acts a very handsome part. He has been very active in geting severalls to join in the measure, and I hope he will succeed with them; but in a day or two he tells me that he'll be more sure. I hope when the Duke of Argyle comes here he'll join cordially with us, tho' some of his friends just now want to be put in good humour. His presence, I hope, will do that, and then we have litle to fear from the opposers. Your Majesty has had so continued a track of success this campaigne and dayly more and more, that I hope your affairs in Scotland shall have the same fate with those abroad, and that your Majesty will not only give peace and liberty to Europe, but unity and happyness to this island, that has God to bless for being under your Majesty's protection.

When I had the honour of waiting of your Majesty last I presumed to speak in favours of a brother of mine, who you was pleased to make one of your receivers generall here some time before. He has studyed the law, and those who know him think not unsuccessfully. What I pretended for to him was to supply the first vaccancy in the Session; and I wou'd been loath to have done so had not I and others known him qualifyed for it. There is now one of the Lords just a dying, which makes me presume to mention it to your Majesty again. I have written fully of it to my Lord Theasaurer, so I will not trouble your Majesty any more with it. But if you be pleased to conferr that post on him, I'm sure he will serve you in it faithfully, and it wou'd be such a favour to my familly that I cou'd never forget, and wou'd tye me more (if possible) to your Majesty's service. But I referr both the thing and the time of doing it to your Majesty, and how you are pleased to dispose of it shall be most agreeable to me. I hope your Majesty will pardon me for all this trouble, and I am, Madam, your Majesty's most dutyfull, most faithfull and most obedient subject and servant. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706, October 8. Edinburgh.—We have evry day better hopes of succeeding in our grand affair. My Lord Montrose acts a very handsome part and is very dilligent in bringing people into the measure, and I hope will succeed with a great many, I mean of his old friends of the Squadrone, tho' this must not yet be talkt publickly; but pray let our friends at London know it, that they may see the measure of bringing him into the Government was not wrong. Annandale laught at evry article of the Treaty as it was read. Lord Archibald Campbel, the day before the Parliament met, wou'd go to Dumbarton, whether we wou'd or not, and was in very ill humor. But he return'd on Saturday in order to go meet his brother. He came to the Abbay on Sunday, but in worse humor at us all, and for what reason I know not, unless it has been by his mother's influence. One told the Commissioner to whom Lord Archie said it, that he was going to meet the Duke, his brother, to make him break with us; but I hope the Duke

will be wiser. The Commissioner had a very discreet letter from him yesternight, but it was before he met with Lord Archie. If the Duke of Argyle and his people be right, we have nothing to fear, and I hope they will be so upon their own account, the grand affair, and our own. But if unluckily they shou'd chance to be otherwise I do not fear our succeeding. I know to whom I write all this, and you know to whom this is fit to be told and to whom not; but 'tis needless to tell from whom you had it, tho' the Commissioner desir'd me to write so to you, which is matter of fact. . . . . We have evry day greater and greater news, but we were all out that by the post before the last none of the Queen's servants had Jone's paper with the news from Italy when other people in the town had it by the same post. I hope the news of the Duke of Marlborough's defeating Vendosme, which we had by the last post, is true; but we expect the confirmation of it to-morrow by a flying pacquet, which you shou'd allways send when there's so remarkable news. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, October 9. Newmarket.—I had the flying pacquet yeasterday of the 4th, and by it your Lordship's. It being directed (I mean the pacquet) for me at her Majesty's Court, it was caryd up to the Queen. She sent for me immediatly, and smiling told me tho' she belived it brought only the news of the sitting doun of the Parliament, yet she wold not open it, neither wold she send it me for fear she shou'd not have the news soe soon. I read your letter to her and the Commissioners and Chancellors speches, which are very well liked. A great many friends are here, and they think that affaire of Sir Alexander Bruces very materiall. I told my Lord Wharton that we were not very sure of his nephue. He told me that he promised to be for the Union. The Queen told me she heard the Earle of Melvill was dead. I not haveing any account of it doe suppose it a mistake; but by what the Earle of Leven has write it may be true by this time. My Lord Treasurer told me this day that that affaire could not be expede till the begining of next week. Noebody has told me which of the letters to the Parliament was read. There was two signd, but I reckon the next post will bring them all in print. The Queen took notice of the Advocats voting for Sir Alexander Bruce, from which she concluds he will oppose. Both your Lordship's and the Earle of Loudoun's accounts are very full and satisfying, and I doe assure you the Queen expects you will containow soe. I shall make the best use of them I am capable.

The Earl of Mar to Sir David Nairne.

1706, October 13. Edinburgh,—I was so weary last night after the Parliament that I cou'd not write myself, which I thought the less matter because we resolved to send a flying

pacquet on Munday. But in case the post shou'd by chance be sooner at London, I caused my brother James write you what passt in Parliament, and therefor now I'll be the less particular. The opposing party doubted so much their own strength that they durst venture nothing, so they only proposed things to put off coming closs to business and to get a delay for some days; and amongst other things a fast for asking God's direction in the great affair before us. However, they durst not venture a vote, but yielded that the Articles of Union shou'd be read, which was done; but nobody speaking to them, I proposed that the first sederunt next week should be appointed for proceeding on them, which was ordered. And then they again proposed the fast not only in Edinburgh but throw the wholle kingdom, with a design to stop our proceeding till that was over; and after much debate this was let fall for that time. My Lord Annandale, who has not yet declar'd his opinion as to the grand affair in publick, tho' he has spoke against it to severalls in private, proposed that since the Commission of the General Assembly was sitting he thought we shou'd now let it fall, and if they thought it fit after hearing what had been spoke of it in the House, no doubt but they wou'd apply to us. But he desired he might not be mistaken as if he were against the fast, which he thought very necessary; and throwout all his discourse he inforced the necessity of it, but proposed a delay at that time, evidently with a design that it shou'd come in with greater force next day from the Commission. This affair had been formerly before the Commission, and had been put off; but now it will be before them again to-morrow, tho' I hope they will be wiser than to medle with it, and we are taking all the pains we can to manadge them right. It was proposed in Parliament by a foolish fellow, one Stewart of Pardivan, but he was supported by the Dukes of Hamilton and Atholle, the Earl of Marishall, Lord Balmirino, Salton, Killmarnock, and all that set. They proposed to themselves to make the Kirk the cause of delaying the Union, or else to make the Kirk and us break, tho' I hope they shall miss of their end. Perhaps some people will not believe this cariage of Annandale's, but I assure you it is true. The great ground the opposing party design to insist on is that the elective members shou'd have time given them to consult their constituents before entring on the consideration of the Articles of Union, which is ridiculous. But they are so disconcerted that they know not what to do, and they have not a party that will be able to support them. We had good ground to believe that the Queen's servants and those who join'd with them were able and wou'd have carry'd throw the Union; but now since the new party have declar'd themselves for it, there's allmost no doubt (if any) of it's succeeding. I am glad of the new party's behaving so, tho' some pretend we shou'd be affraid of them, and assure us that their terms were made at London by Johnston and the Justice Clerk, and that after the affair is done here they are to be the favourites. But this I'm not afraid of. The doing of the thing is my concern,

and if it were once done I can trust myself to the Queen and her Ministry and those we had to do with, as I think all the Queen's present Scots servants may do, for I'm perswaded they will be juster than to act such a part towards us; and I think we wou'd be in the wrong if we refused anybody's help, tho' I'm sure we were able to do the affair by ourselves. Cromarty behaved very well in that meeting at the Abbay, as I wrote before, and I hope will do so in the Parliament too, and his people if once they were come up; but they are but yet a coming. Marchmont goes on bravely with us and all his folks. There is not one of my friends here but has join'd us, and two of them whom I was affraid of I have got to stay at home. I wou'd write some times to our friends with you, but I know you communicat to them what I write to you, so I think it needless to trouble them with repeating the same story. Since this is pretty full on all our affairs you may show it them, and pray give them my humble service. The Duke of Argyll came here on Thursday. His brother had made him angry with us all, but when we mett with him and reason'd what he had to say, it was quickly over, and now he is in very good temper, and he and all his people will concurr heartily. He is very desireous to have his brother made a peer of Scotland, and made us all promise to write to the Treasurer of it, which I have done. We represented to him that the Queen wou'd have difficulty of doing it at this time, betwixt the Treaty's being concluded and the Union not yet perfected by us, and that she had refused severalls on that account. But he insisted, and I must acknowledge not without some reason, for by his being a peer of England himself he will not have a vote in chusing the peers for Scotland who are to sit in the Parliament of Britain, and it's fit for him to have one of his familly to take care of his interrest here in that case. Beside if it be done it will put him in good humor, and satisfy him (at least untill the Parliament be over), so consequently strengthen our hands; whereas if it be refused it will have quite other effects. The Commissioner sends you the patent for Lord Archibald, which is ane Earl's, and I hope you'll get the Queen to pass it. I wrote to you in my last that my Lord Rankeillor was a dying. He is since dead, and I have spoken again to the Commissioner in favours of my brother for the Lord of Session's place. He is mightily presst by severals for it, particularly the Register's brother. However, he has promist me that my brother shall have it. He designs the Receiver's place for Mr. Murray, Phillip's brother, and the Lord of Justiciary of Tillicultry, who had his promise for the first vaccancy there a long time ago. He told me that he was to write to you for those three papers to-night, but desires that they may be sent down blank, because he thinks it not fitt to fill them up nor to give them out till after the Parliament or near the ending of it. I hope you'll take care of my brother's concern so far as lyes in your way. I thought it would have done better, and been easyer for the Commissioner to end that affair just now, but since he thinks otherwise, I have nothing to say, and I'm

not a proper judge in this since I'm so nearly concern'd. However, the sooner the papers come down the better.

I had yours this morning, with the papers passt the Queen's hand, which I wrote for, and I shall take care that they be disposed of to the best advantage.

Mr. Fullarton and Mr. Stewart go from this to-morrow towards London. They have really been of very great use here in convincing people of the necessity aud advantage of the Union. When they come up I know Mr. Fullarton designs to see you and some of our great friends, who I hope will give him a good reception. Defoe is here, but I'm not acquainted with him, so have not seen him. One Mr. Shout, a friend of my Lord Wharton's, is here allso; he came down with my Lord Ross, and goes away, as he told me, this week. Paterson wrote some sheets of paper upon the Union, and show'd them to us, but we perswaded him not to publish them. Hodge has sent down another book here, but 'tis not much minded; 'tis upon the foot of a fœderal Union. There's severall other pamphlets here, tho' of no great moment. I'm sure you are weary with reading this long letter, as I'm with writing it; so all I shall say further is that we have sent for a man to town who we hope can give us some account of Caron and the Colonel. But more of this after I have seen him.

The Earl of Mar to Sir David Nairne.

1706, October 16. Edinburgh.—My Lord Loudown, as Secretarie in waitting, has promist me to give you the detaill of yesterday's proceeding, of which I'm shure you and all friends will be very well pleased. After a great dale of wrangling wee gott to a vote, and carried to proceed imediatlie to take the Artickles into considerationc by a plurallity of 66, which is a grater number than those who were against us. By this plurality it plainlie appears that the Queen's servants and their friends cou'd have carried the affair without any new assistance, for the number of that partie who have joyned with us is not above 18. However, I say not this to lessen them, for I'm mightie well pleased with their joyneing with us in this measure. They doe themselves the best service that's possible, beside their doeing good to their countrie, and I wish other people would follow their example and forgett parties now when I hope the occasion of them will be taken away. But they are not like to doe so, for now when they see leitle hope of defeating the designe they are more exasperat, and they will certainlie commit some foolish extravagant thing if they can bring it about. The Duke of Hamilton yesterday wou'd have yealded it, and not brought it to the vote; but after he had done so Balheaven wou'd not, and so the vote was putt. I, nor I believe no body else, wou'd understand this politick of Balheavens, for he knew they would lose it by a grait plurality; so I can find no reason he had for it if it were not for an excuse else where by shoeing plainlie they were overpouerd. My Lord Annandaile

spoke for a delay as much, and as earnestlie as he could, and voted so too; but all his people (which are three) were with us. Lothian was with us, and so was the Advocat. Wee did not think fitt to proceed fast even after wee carried the vote, so after the first Artickle was read and the minuts relaiting to it and spok too som tim, to take away all handle they pretend by our hurrying, the Commissioner adjurned the Parliament till Thursday. And then I hope wee shall doe something effectivelie. Our only fear now is of delays, for since they see us such an overmatch for them they will keep things from comeing to a determinatione, by a vote or otherways, as long as they can. And reallie they have a grate facultie that way. There were severall of our friends absent yesterday, so I hope you'l hear of the nixt votes being carried by a graiter plurality.

The Commission of the Assemblie putt off the fast, tho' it was stronglie debeat amongst them, and they appointed Fryday for a day of prayer amongst themselves in the place they ordinarlie sitt in, and everybody that pleases may goe ther. They are also to recomend to their bretheren in everie presbitry to pray for direction to the Parliament in this great affair.

I doe not at this tim trouble my Lord Treasurer with a letter, because I know you will communicat to him what I have wryt to you. Pray tell his Lordship from me that it is only to save him trouble that I doe not always wryt directlie to himself.

I forgott to wryt to you in my moneth that my Lord Forglain expected to be putt on the Counsell and Exchequer. He takes it so ill that he was not that wee were forced to say that wee had left orders with you to send doun tuo letters for him. So pray speak now to the Queen of it, and I beleive now her Majestie will not refuse it. And if she pleas I wish the tuo letters were sent doun as soon as possible, and that they were dated som tim agoe, a leitle after we cam away the better. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, October 17. Edinburgh.—I wrote so fully by the flying pacquet yesterday that I need not say much now. To-day in Parliament we went throw several articles of the Treaty. The opposing party did not open much, nor will they, I believe, untill we be quite throw them. However, we read the minutes relating to evry article and explain'd it. That they might have no handle by our going fast, we thought it best to go throw the wholle articles without coming to a vote on any one of them, which will delay any determination for some days. But had we done otherways, people wou'd have complain'd as if we precipitated; and the mob of this town are mad and against us, but the members of Parliament are every day better inclin d. When the next materiall vote comes I believe you'll see Annand[ale] with us. 66 is the best clearer of people's judgments that can be. You wrote to me that a certain Duke wou'd

not oppose vigorously. Since our last vote he appears calmer, and perhaps he may alter his opinion in some measure. But I have not such authority for this as you can certainly rely on.

We had a long debate to-day about printing the English oath of coronation, with a design to fright the Presbyterians, but it was so ridiculous that they wou'd not venture it to a vote. The great stickler for this was my Lord Kingcairn, alias Broomie. We sit again on Saturday, to-morrow being the day the Commission of the Assembly have appointed for prayer. We will get throw the articles in a few days, and after that I hope you shall hear of our determining some materiale things. The town story . . . . . (torn) are to be the great men and favourites after the affair is carryed, and one assured me that Roxburgh has wrote for the Lord of Session's place to a friend of his, and that he says nobody's interrest will carry it against him, and that it will either be done now as he desires it, or at least keept open till after the Parliament, that the Court can with freedom give it him. But thirr storys will not fright us. We are willing to receive anybody who will join in the measure. As things stand that party cou'd do nothing else, for their number, tho' all intire, was but 18 at most, and we had got severalls of them before they declair'd. And Montrose, who was with them formerly, and made with his interrest a great part of them, told them fairly that he wou'd be for the measure and all the interrest he cou'd make, and if they join'd he wou'd be glad of it, but if not he took leave of them for ever. After this what cou'd they do else, for there was not ten of them left. This is matter of fact, and they never declar'd themselves till once Montrose told them so.

Mr. Fletcher says now that the wholle nation are grown rogues. I believe before the Parliament end he will go out of it; but he has not yet spoke much. He reserves himself untill we come to determine.

I thought you had known that Marchmont had been here since some days before the Parliament mett. He behaves as you cou'd wish, and so do all his people. The Advocat will be forced to join too, tho' I confess it is backwardly. . . . . Tweedale. . . . . (torn) the Commissioner. All his people were invited, but they were preingadged with Annandale, so cou'd not come. However, we made a shift to get very merry, and my hand is not yet very steddie, as you may see by this. Annandale has made great court to those people ever since our vote, and some of them yesterday told in their cups that now he was clear'd and wou'd be for the measure, what wou'd he give to have last day forgot?

We will not have much to write untill we get throw the articles, which I hope will not be a long time. But in the meantime pray give ane account of what I have wrote to our friends, for I have not yet wrote to them, because I know you communicat to them what I write, and that is easyer to them. Since we behave so I'm sure they must see we have greater

regard to the cause than to our own private interrest. And tho' I would not lessen the new party, yet our friends must see they could do nothing else, since it wou'd have carry'd without them; and they wou'd have made a pittyfull figure if they had acted any other part. *Copy.*

THE TREASURER to the EARL OF MAR.

1706, October 19. This is to acknowledg the honour of your Lordship's letter. The accounts of the 14th have given very great hopes of good success in your affairs.

The Queen is very much pleased with what you have said of my Lord Montrose and the good effects of it for her service.

Her Majesty has been very ready to agree to the desires of her servants in relation to my Lord Archibald Campbell, and also concerning the vacancys you are pleased to mention, in which she hopes it will be thought for her service that your Lordship find your particular satisfaction.

Wee are very impatient to hear what farther proggress has been made last Tuesday, which wee hope will give some light as to the time which this affair is like to take in the Parliament of Scotland. (*Signed*) GODOLPHIN.

HARRY ERSKINE to his brother, the EARL OF MAR.

1706, October 22. Lisbon.—Dear brother, after prodigius stormes and a long tedious voyage we have at last thise day got hear, and I bliss God for't verry safe as to our pairt. I wrot to you a little time before we sail'd from Tarbay. We sail'd from that on the first of October with a faire weind and verry good wather, but was not two dayes at sea but we had it contrarie and blew hard, which we thought wou'd oblidge use to goe ether back to England or for Ireland. But we stood it out for that time. And two dayes after, it blew the most terrible storme that has been seen, and derectlie against use. It continoued for 48 houers and more and separat all our fleet, so that I'm affrayd we shall hardlie all meet again. We found ourselves when the storme was over by good luck in companie with two or three men of war, and some transports. We made up in all about 40 saile, and having a faire wind made streight for Lisbon, which was the place ordered use for rendevous. But our good fortune continoued not long. However, one way or other, with our small fleet, we got to within six leagues of Lisbon, and when we thought that night to be ashore we wer again attackt by a storme and contrairie [weind], which lasted for four dayes, but I may say last yet. However, we got in to the Tagus.

We can hear no account as yet of Sir Cloudslie, my Lord Rivers and the rest of the fleet. We hope they are well; but there is certainlie vast loss. We wer just three weeks in our passage, and I cannot say all the while had 48 houers of a faire weind or tollerable wather. I belive from first to last it has been the unluckist expedition ever was. I can wryt you allmost no account how affairs goes in Spain, for I'm but just now going

up to Lisbon. I shall wryt to James from that; but its certaine that King Charles and his armie is retired to Valantia and but in an indifferent taking. They have been expecting use thise two moneths, so I doubt not but as shoon as the rest of our scatter'd fleet joynes use hear we shall goe for Valantia and joyne the armie, which I shall be glad of, for thise seems to be an indifferent countrie. I never keept my helth better then all the time I was at sea, and even in time of the stormes, though our provisions fell skarce and had nothing but small beer, but————all thats over, and now we drink good wine and eats oringes fresh pluckt. The ship *Douglass* was in is yet amissing, with five companies of our regiment. The rest are hear. I shall long much to hear from you. Please to cause anybodie wryt to me how the Parliament goes. I'm glade to hear that you have a majoritie for the Union of 40 votes. I hop all will goe verry well.

THE EARL OF MAR to SIR DAVID NAIRNE.

1706, October 23. Edinburgh. To-day when the House rose the Commissioner carryed me down with him to concert some things again to-morrow, and the Register promised to write to you the detail of this dayes proceedings, which he has done and I have seen it, so I need say little more. Only one thing he has forgot, that when the Affrican Company was spoke of in the House my Lord Annandale said that it was not then a very proper time to insist on it, but he thought that company should not be dissolved at the passing of the Act in the Parliament of England for the mony of the equivalent as is agreed in the Treaty, and that we cou'd not forfeit that company without citing evry member. This wou'd indeed be ane effectual stop to the Union, and the Justice Clerck, his friend, was extreamly out when he said it. His Lordship in his private companys says that he'll be for the Union, but evry day in the House he dips himself so far against it that I see not how he can well retreat and be consequentiall to his actings. However, if he see it a going game, notwithstanding of all the difficultys and rubs his Lordship and others throw in the way of it, perhaps he will make a short turn; but I believe he's not yet fully resolv'd to do this. Our opposers finding themselves now weak and that the affair will probably do, they take themselves to the mob and cajol them all they can, in so much that they have got the mob and populace on their side intirely, and it is hardly to be doubted but before this affair end there will be some mobish affair. We have all been advertis'd that we will be mob'd, tho' we are not much frightned with their threats. Evry day when the D[uke] of H[amilton] comes out of the house, the mob waits of him home with huzzas, and he encourages them not a litle. It is fit that you represent all this.

The Commission of the Assembly have at last ended the affair of the fast. The opposing party wou'd have had them addressing the Parliament for a national fast, but it was put off

by the expedient of their writing to the different Presbytrys to apoint a day of fasting within their own bouuds when they thought fit, and this was but done yesterday. Mr. Carstairs was the principall man in the manadging of this affair, and had it not been for him probably it had taken another turn not so much to our liking. We sit again to-morrow and against next post I hope to get written to you fully. I am now in the Abbay and can say no more, so adieu. (*Copy.*)

Sir David Nairne to the Earl of Mar.

1706, October 24.—There are many true Scots proverbs and some English; and this is knowen by both—That there is never great smoak but thers some fire. That there is a correspondence between a great man here and some of the new partie there is noe doubt, and he has told me soe, but nothing engadged nor towards it, nor doe I realy beleive otherways than cajolling and promises of the Queen's favour in generall. He told me that E[arl] Rox[burgh] had write for the Lord of Sessions place. But you are convinced ere now that he was not gratyfyd, and I beleive to in the letter he promised not to let it be knowen for some time, and at this he took occasion to say he beleived you wold think it for the Queen's service not to make use of if yet. He also not only told me of but read to me a letter he had yesterday from the D[uke] of H[amilton] wherin he complains of too much haste and precipitation in proceeding on the articles and which he says he beleives will not be for the advantage of the thing. Soe that you see even the great caire that is taken to prevent that clamour has not its effects. However, I have all the reason in the world to beleive your proceedings agreeable. Pray, let noething discover that you have any hints of this, and be sure to give good entertainment not only to those who have joynd but to any that will. I am sure it will be to your advantage. I hope the M[arquis] of An[nandale will joyne; it will yet add to the oppinion friends have of him. It has been asked how the Justice Clerk's son and son-in-law goes. Read and burne because noe body knows what chances.

The Earl of Mar to Sir David Nairne.

1706, October 26.—Edinburgh.—I wrote to you on Tuesday last and dated it the 23d, which should have been but the 22d. I told you then that we were to sitt again on Wednesday. The wholle debate that day was about printing the English Book of Rates and Acts of Parliament relating to the Customs and Excise. But when the House met first, the Estates separated and choosed the committy for considering the equivalent, and in all the 3 Estates the people we design'd carry'd it. Their names you'll see in the minuts. Their proposing to print the Book of Rates and Acts was meerly to delay business, for they knew it behooved to be a work of time and we cou'd not get over the articles untill it was done if ordered by the House. So we proposed that the consideration of them shou'd be left to the

comitty allready nam'd and that they shou'd bring a report of what was necessary to be printed. The opposing party allways keep things from coming to a vote as long as they can, as they did in this, so that there was a necessity to have candles, and allways in candle light there's a great deal of confusion in the House. There was above 50 battons in it, which are white sticks given by the Marishal and Constable to priviledged people to come in as their guard, and there was beside a great many other people who had no priviledge of being there, but had crowded into the House. The longer the debate lasted the more strenuously it was maintain'd and the greater confusion there was, but at last we brought it near to a vote. I told you in my last that the opposing party, seeing they could carry nothing in the House, had taken themselves to the mob and populace, which they encouradged and stirr'd up extreamly by misrepresenting the Union and evry article of it, and told them that they were to loss the Crown and wou'd be taxt excessively. The ministers have generally recoill'd on this affair, and I believe it may come to pass what I'm credibly inform'd my Lord Bellhaven said, that he wou'd make the Kirk and State knock hard heads. The ministers being in this humor and so preach up danger (tho' few of them positively against the Union) and the Jacobites exclaming evrywhere against it, frights the commonalty, so that their inclinations are very much altered of late, and speak openly against the Union. When we were coming to the vote it was whispered that there was a rable at the doors and were pressing to be in, and had knock'd down some of the guards. This was told my Lord Marishall too, who tho' he opposes, yet acted very handsomly in this, for he proposed to adjourn the debate, it being then late. I seconded him, and it was done accordingly, and the Comissioner adjourned the Parliament till yesterday. Had the mob got in, it was too probable that the consequence wou'd have been tragicall. When we came out of the House we found the Parliament Closs full of mob. The Comissioner and severals with him went to the Abbay, and the Duke of Hamilton went to the Duke of Athole's, which is in the Land Market. The wholle mob and rable follow'd him. He was in his chair with the glasses down, and was huzza'd all the way. He stay'd not long at the Duke of Athole's, but went down the streets to his lodgings in the Abbay accompanyed in the same manner. My Lord Montrose chanced to be coming up the street in his coach. The mob commanded the coach to stop, but the coachman drove on. Some of the mob called to Montrose if he was against the Union, God bless him, but if for it, God damn him. However, he went on. When the Duke of Hamilton and the mob came to the Abbay gate the guards stopt them from coming in to the Court; so they went back to the town in ane uproar, and went streight to Sir Patrick Johnston's house, who you know had been provost last year and one of our treaters. They assaulted his house, broke his windows, and did what they could to beat open his door, giving him names and calling out that they

wou'd massacre him for being a betrayer and seller of his country. My Lord Glasgow and the Register lodge in the same stair with Sir Patrick (as you know the way is here), whome they allso insulted, tho' not so much nor so violently as Sir Patrick. By this time the wholle town was in ane uproar, and the rable on the streets evrywhere in hundreds together. The Duke of Argyll, the Marquis of Lothian and I, and about half a dozen more when supping then at my Lord Loudoun's, which is next door to the Duke of Athole's, when we heard of this uproar we sent for the magistrates of the town, who came to us. We sent them away about their business, in which they took as much care as possibly they could. They, with the town guard. reliev'd Sir Patrick Johnston and apprehended five or six of the rable who were breaking up Sir Patrick's door; but they were not able to suppress the tumult. We in my Lord Loudoun's were expecting to be attacqued evry minut, so we resolved to go out and walk down the streets. We saw great numbers of the rable with stones in their hands, but as soon as they saw us they dropt them and let us pass. But after we were gone some way they followed us with a great noise and attended us to the Abbay gate, which we cou'd have spar'd; they cursed us if we were for the Union, and some, tho' few, blessed us. This expedition of ours, I confess, was as hardy as wise. If one stone had been thrown at us there had been five hundred, and some of the mob were heard say after we had passt the Cross that they were to blame for leting Argyll and Loudoun pass unpunished. However, we got free. When we came to the Abbay the Comissioner call'd a Councill, and the regiment of Foot Guards was got together immediately, and a party of them sent to take possession of the Neather Bow port, which they did. But that did not compesce the tumult, but on the contrary the mob got a drum and beat throw the streets, so there was 150 more of the Guards sent into the town to take post at the Weighhouse and Parliament Closs with orders to disperse the rable with violence if there were occasion; for before this time they had insulted the magistrates themselves. This put ane end to it for that night without firing a shott, and so we went to bed. The Comissioner came up to Council next day (which was Thursday) in the town. There was a very frequent Council. They approved of what we had done the night before, and ordered the Guards to continue in the town till further orders. They made a proclamation against rables and indemnify'd all slaughters, etc., that shou'd be committed in suppressing it; as you'll see by the proclamation, which the Register promissed to send you with the minuts. The Councill allso ordered the Chancellor to lay this affair before the Parliament next meeting. There was no disturbance all that day, but many people endeavoured to extenuate the rable and say it was only children. Yesterday the Chancellor represented the affair to the Parliament. We expected that evry body wou'd have thanked the Council for what they had done; but it was so far from that,

that the Duke of Athole said he did not approve of the mob, and was glade it was suppresst, but he believed there was something done since that was of a high nature; he complained of Guards being sent in to town to overaw the Parliament, as he call'd it. He was supported by the Duke of Hamilton, Earl of Kincairn, Lords Bellhaven, Balmerino, Killsyth, Mr. Fletcher, Killmaronnock, and Fountainhall, the Lord of Session. At last they came to speak pretty favourably of the mob, and Mr. Fletcher said it was the true spirit of this country, for the Reformation and Revolution were both brought about by them. My Lord Montrose was resolute and bold against them, and we all supported him. The other side wou'd at last have let it fall, but we insisted and offered a resolve giving the Council thanks for their care, and recommended it to the Commissioner and them to continue their care and to keep the Guards in the town. It was brought to the vote at last, as you'll see by the minuts, and the resolve was carry'd by a great plurality. But we had two votes upon it and Annandale was against us in both, and spoke against continuing the Guards in town too. After this I believe he'll be entirely with the opposing party. Tho' I know his principles will allow him to do anything, yet I did not think his prudence wou'd have allow'd him to act so. The Duke of Athole visits him often. When we came down the street the night of the rable, Lothian came part of the way with us, and then left us. Next day he went out of the town and came not to Parliament yesterday, and the member from his town was against us.

The part that some people act now is very odd. A certain great man has spoken pretty openly of his pretensions to the Crown being taken away by the Union. One night after the Parliament rose some boys got into the House. He call'd to make way for them to see the Crown, for perhaps they wou'd never see it more; and that night he told the mob as they went home that he wisht they had evry one a vote in the House, for they wou'd vote like honest men. I'm credibly inform'd of all this, and it is fitt it shou'd be told to our friends. I'm told too that some people sent mony to some amongst the mob the night before the rable, particularly two top peers, tho' I cannot warrand it, yet I'm told it could be made out.

We sit now in some more security than we did, and 'tis good that this bomb broke in the air. You see by this our intelligence was not ill founded. There's more troops ordered to come near the town, so the Parliament will be in security, unless people bring their designs to a greater hight, which I'm perswaded some design to do. There's emissarys sent throw the country to get hands to addresses against the Union, and I doubt not but some people will do what they can to stirr up the country to some foolish irregular thing. Some people I'm assured are bringing their men to town, and I'm sure that there's several Highlanders here allready; by which it wou'd appear that since they see they will lose their end in Parliament they will endeavour to obtain it ane other way and give law to the Parliament.

I have wrote to you often of late that we're sure of success in the Parliament, tho' by the opposition it may take some time to finish the affair this session. But I confess within this short time the humor against the Union in the country is augmented and I must say the ministers are most to blame for it. But in the Parliament we have still as good hopes of success as ever.

Yesterday, the House was better regulated than it has been a long time. The Comissioner got the Constable and Marishall to restrict their battons to 8 a piece and nobody but who were priviledged were allow'd to come into the House. My Lord Errol, the Constable, had those who were apprehended at Sir Patrick Johnston's door remitted to him to be try'd, but he protested that bringing souldiers into the town might not prejudge his right, and that it was ane incroachment on the Parliament and the town of Edinburgh; which we wou'd not debate then, for fear of delaying our other affair, but on Munday, when the minuts are read, 'tis probable this protestation may be taken to task and then the battons will be spoke to that they shou'd be oblidg'd to qualify which few of them are now. By this I'm affraid litle else will be done that day, but this seems necessary for our own security. I'm affraid this will be a long session, for the opposing party can put off time tho' they be able to do nothing else. If once we were got throw the articles, we hope to pass a considerable vote which will humble them, and then I hope we shall go on faster. I wish our slow proceeding may not do hurt to the grand affair in England. The Parliament there must of necessity sit I fancy before we be done here, but I hope we will have finished the Treaty before they be done with their Supplys, and then the Treaty may come before them. I thought it necessary to give you a full account of all this affair, that our friends may know particularly how we are circumstantiated; but it has made my letter very long, which I cou'd not help. I have written to my Lord Treasurer, but not to trouble him too much I have referred him to this if he has time to read it.

Lord Archibald Campbel's patent is passing the seals, and now we are all very well together. Since that was to be passt there was a necessity of passing Lord Charles Douglass's too. I shall cause send you all the pamphlets wrote here in relation to the Union. I'm sure you are as weary reading this as I am a writing it, so adieu. . . . . I did not write by the last post because I knew of this flying pacquet's going to-day, which I hope will be with you before it. The Register has ordered the printing the book of Rates that we may have no more debate about it in the House.

If it be not troublesome you may read this letter to the Queen. *Copy.*

THE EARL OF MAR to the LORD TREASURER.

1706, October 26. Edinburgh.—I have written fully to Sir David Nairne from time to time of the Queen's affairs and of our proceedings here, to be lay'd before your Lordship, because

I thought that wou'd be less troublesome to you than writing directly to yourself. I have by this flying pacquet given him a full account of what has passt here this week, and ordered him to show it to your Lordship if your time will allow. I'm sure your Lordship will be surprized with something in it and of some people's cariage here. We have still as good hopes of success in the Parliament as ever, tho' perhaps it will take some time before we finish the affair. I wish that may be no prejudice to it in the Parliament of England, which I fancy must of necessity sit soon. But I hope before the Supplys be over there we may have finished the affair here. Tho' we have still as good hopes as ever of succeeding in Parliament, yet I must acquaint your Lordship that the humor in the country against the Treaty or Union is much increased of late, and I must acknowledge the ministers preaching up the danger of the Kirk is a principal cause of it; and the opposing party's misrepresenting evry article of the Treaty make the commonality believe that they will be oppressed with taxes. These and other byways have altered all of a sudden the inclinations of the populace very much as to the Union; and most of the churchmen are not like to behave so wisely nor prudently as I expected. Yet the Union will certainly do in the Parliament, but I'm affraid some people may commit some foolish irregular thing either before it pass or after it; which I think myself oblidg'd to let your Lordship know that it may be lay'd before her Majesty, I doubt not but others of the Queen's servants have written to your Lordship, so I will not trouble you any more at this time, but shall think it my honor to receive your commands when you are pleased to lay them on me. (*Copy*).

Sir David Nairne to the Earl of Mar.

1706, October 29. Whitehall.—Yesterday I had your Lordship's of the 22d. The story in the toun is that the M[arquis] of An[nandale] has joyn'd with those for the Union, but noething like that appears in his beheavour the 22d. But I reckon he will not declare himselfe till it come to voteing, and if he does that right he will finde twenty way to excuse what he has done hitherto. Frinds here are mightyly concerned to have business done there before the 21 November. To be sure there will be opposers here, and when they have a minde to retard or delay, its too good a pretence to move that they maye have the sentiments of the Parliament there that being at the same time sitting. I have been asked by friends whither you have yet any vew of the manner of chooseing the 16 peers and 45 commoners, and what it is. Also if the Earl of Aberdeen is in the House and how he carys. The Queen is concerned about the mob, and asked whither there was anything to be done in it from hence. I told her Majesty that I had noe directions to propose anything, and that I doubted not but the Government wold have such due precaution as not to suffer her Majesty's servants to be affronted.

The Earl of Mar to Sir David Nairne.

1706, October 29. Edinburgh, Tuesday morning, 9 o'clock.—Since my last by the flying pacquet, ane accident had very near broke us all amongst ourselves, which wou'd have been of very bad consequence; and tho' it be now over for this time at least, yet I write it to you in case you shou'd get a wrong account of it. The title Lord Archibald Campbell choosed was Dundee, and it was fill'd up in the warrand. But before it passt the seals, my Lord Montrose came to the Comissioner and told him that he had all his lifetime endeavoured to live well with my Lord Argyll and avoided differences or anything that cou'd occasion them, that the quarrel betwixt their familys might be forgot. And now he heard that my Lord Argyll had choosed the title of Dundee for his brother, which had been last in a person who was a cadet of his famillie. He acknowledged that he was justly forfeited, so that nobody else cou'd pretend any right to it; but he knew it wou'd make his friends reflect on him if a Campbel shou'd get it, and so perhaps it might be the occasion of reviving the old quarrel. Therefor, and since my Lord Argyll had no interrest in that title, he wou'd beg of him as a favour not to take it for his brother. He further said that when the Comissioner had askt the servants' opinion as to the giving up Lord Archibald's patent he was the first man that gave his opinion for giving it him presently; therefor he hopt the Duke of Argyll nor Lord Archibald wou'd not refuse him. My Lord Glasgow was sent to the Duke of Argyll with this message, but his Grace did not take it well, and thought the Marquiss put himself in competition with him, so wou'd not yield it. Then the Comissioner spoke to Montrose thinking to perswade him to say no more about it but let it pass, which he upon no account would do, and said if the Duke refused him so small a favour when he was in the Government with him, and on the same measure, and asked . . . . . favour, he saw that he had no mind to live in tollerable friendship with him; so if Lord Archibald got that title he wou'd serve no more as President ot the Council, nor never be in a pack again with the Duke of Argyll, tho' that wou'd not make him differ from us in the measure we were on in Parliament. When the Comissioner saw this he spoke to the Duke of Argyll himself, and so did my Lord Londoun. The Duke said the Comissioner and Queen's servants might determine it as they pleased but he wou'd never yield it. And we saw that if we determined it against him he would be mightily disoblidged, so we were in a mighty doubt what to do, for one of them wou'd certainly be disoblidg'd. The Comissioner spoke again and again to them both by turns, but to no purpose, both being so positive; and this lasted till yesterday morning, that the Chancellor and Loudoun got the Duke perswaded and then Lord Archibald to condescend to take ane other title tho' they wou'd not do it as a favour to Montrose, and desired that Montrose might not speak to them of it. So the title of Islay was put in the warrand in place of Dundee. The patent was

immediately expede and read in Parliament, and the Earl of Islay took his place. The word is generally spoke Yela tho' it be not so spell'd. There is ane end of this affair for this bout, but I'm affraid the Duke and Marquiss will never be so very good friends again, which I'm sorry for.

Yesterday, when we met in Parliament, we thought to have taken notice of the Earl of Errol's protestation (as I wrote last) wou'd have losst us a day so we resolved to let it fall, tho' some people spoke of it. There was a list of adherers to it as you'll see by the minuts which the Register is to send you. Some desired to be added to the list, and some to be deleted who had been put in by mistake, particularly the Earl of Bute. The Marquis of Annandale resum'd the most of what he had said the day before, and desir'd to be markt as adhering to the Earl of Errol's protestation, which indeed surpriz'd us, for now he has listed himself with the opposers and will be with them in print. When this was over the Duke of Athole proposed that since the Presbitry of Edinburgh had, conform to ane act of the Commission of the [Assembly], appointed Thursday next for a fast within this Presbitry, [we] might have preaching in the Parliament House, and nam'd two ministers to be appointed to preach before us. This was debated a long time, particularly by the D[uke] of H[amilton], Bellhaven, and Fletcher, but they were run down; and Fletcher chanced to speak of the Commission of the Kirk and the carriage of members of it who are members of Parliament, whom he said if it were not to rip up a sore he cou'd make them blush. He was so taken to task for this by the gentlemen he spoke of that he and his friends were forced to let the Duke of Athole's proposall fall to bring himself off this undertaking of his. So we proceeded then to read the 18th article of the Treaty, where we had left on Wednesday last. It was told that the Book of Rates were a printing, so litle more was said of that. But the great objection was that the incorporating Union was inconsistent with the Claim of Right; and this my Lord Annandale averr'd very strenuously. My Lord Stair said that cou'd not be alleadg'd, for the Convention of Estates, who made the Claim of Right allso and at the same time, appointed commissioners to treat of ane intire and compleat Union, and had by a letter to the late King referr'd any differences that might be to his decision. He said allso that Lord had been on a former Treaty, and very forward in it, where most of what is material in this Treaty had been concluded then, and his Lordship was not then of that opinion; and he believed, had he been on this Treaty, he would not have been of that opinion either. This made the wholle House laugh. His Lordship answered that whatever he had done he cou'd answer for it, but he thought that Lord shou'd avoid reflexions, because there was no man more obnoxious to them than himself. The Chancellor said he thought reflections shou'd be avoided, but he did not think the saying that his Lordship was on that former Treaty was a reflexion, tho' he knew not what his Lordship thought of

it himself. This made the House laugh again; and Annandale answered much as he had done before, and concluded that he thought this Union inconsistent with the Claim of Right, by which I cannot see how he can now come about to be for it. I cannot think but this acting of his will surprize our friends with you, but more particularly Mr. Shout when you tell him it. He'll be at London e'er now, I believe. He spoke with Annandale last, and told us that he excused his actings for the preceeding days, but assur'd him he wou'd be for the Union. There was no more said to this article, and then we went on to the next three and read the minuts relating to them, but there was nothing spoke to them because it grew dark. The Parliament was adjourned till this day, when we are to speak to them.

The pacquet has just com'd, and I have got yours of the 24th. The Earl of Aberdeen is not here this Parliament, nor is he to come. I shall send you a list of Parliament, and all those present marked. The flying pacquet came on Sunday's night, about a quarter of ane hour before the ordinary pacquet, which was very late of coming that night by reason of the excessive rains. My Lord Montrose was very well pleased with the Queen's letter, and we were all glade that the Treasurer had wrote to those Lords; I wish he wou'd write to Cromartie and Marchmont too. I assure you for my share I have no jealousy of these people being fair spoke to, and the more that join us the better, I think, and I do all I can for that end. I'm mightily oblidg'd to my Lord Treasurer, and particularly at this time in my brother's affair. I allways resolved to depend on him, and I were ungratefull now if I did not. I wou'd be loath to take out the Commission [now, but?] will trust that till after the Parliament. Since the Guards [came] into the town we have been very peacable, but there are addresses going about in evry shire to get hands to them, and they design to present them to the Parliament. They are all against the Union, you may be sure, and the opposers wou'd fright us with storys that the country will rise, and I'm credibly inform'd that the Duke of Athole's men are to muster this week. Some people stick not to say that the Parliament will not get leave to finish the Union. I thought it fit to let you know all this that you may lay it before the Queen and Ministry, for tho' I hope it is only braggs, yet it is fit that it shou'd be known there. The forces are all brought about this place so that we can hardly be insulted, but there is no powder allmost in the magazines and very litle to be got in the nation. The Castle of Stirline, of which I have the command, is mightily out of repair, and hardly a gun mounted, and there is not five barrels of powder in it. There's no beds within it for the souldiers to ly in, so they are forced to ly in the town; by all which you may see how litle service it cou'd be of if there were anything to be done, and how easily it might be taken. It is the great pass in Scotland, so no place is of more importance. The Treasury here can do nothing to it for want

of mony, and I'm not to blame, for I have represented the bad condition of it again and again. Pray for my exoneration, let the Queen know this.

The D[uke] of H[amilton] was yesterday morning 2 hours with the Comissioner. I know the Comissioner is to write what passt, so I shall say nothing of it. I'm just going to the House, and after it is over, I shall write anything that passes if worth the whille and if I have time.

. . . . o'clock.

The Parliament sat till after four, and I have but just dined and am going to the Abbey, so can not say much. We read this day the 22d and 23d Articles with the minuts relating to them. There was a great deal spoke to them, and that lasted till it grew dark. They say that they have more to say to them, so to-morrow we are to be on them again, and then I hope (at least we will endeavour) to get throw all the Articles; and on Friday, after we are clear'd by the fast, I hope we'll have a fresh touch as to the incorporating Union. To-day Fletcher in passion said that the Treaters had betray'd their trust, which you may believe was taken up warmely. Severals endeavoured to excuse him, and particularly Bellhaven, who if he had got leave to say out wou'd been as deep as Fletcher; but he interrupted him and acknowledg'd that those who endeavour'd to excuse him made it worse. We had pity on Fletcher and upon his begging pardon let it fall; but this was no small mortification to him to be oblidg'd to beg pardon. Nothing else materiall hapened to-day. The Duke of Hamilton spoke extreamly much, about half ane hour at a time, and most anent the peerage; but when that comes to be determined all will be repeated.

You ask me about the Justice Clerck. To do him justice I must acknowledge he behaves very well and acts very cordially. His son and he are just now in very good terms, but he's of the new party and goes along with them. His son-in-law has not yet been with us, but I know not what he'll do in the main, for he's a litle uncertain.

I send you inclosed instructions from a brugh to their member, which is said to be drawn by the member himself and printed for a copy to others. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 1. Whitehall.—Your Lordships of the 26th by flying pacquett came Wednesday morning. Lest the mob should be still humorsom it was thought propper to send noe thing materiall by the ordinary post, the time of that being soe sertain that it might be easyly intercepted. And my Lord Treasurer haveing write by this to the Commissioner and Chancellor, the Duke of Argyle and Earle of Leven, it was judged fitt to send this flying pacquett; soe last night by the

ordinary I wrote only what was in course and a line to the Earle of Loudoun to excuse me to your Lordship and others I had not write to, without saying any thing of sending this, for if I had hinted it it was a good advertisement to watch.

In the first place my Lord Treasurer desired I might excuse him to your Lordship for not writing at this time. Since recept of the pacquett I have not seen anybody to speak to about what it brought except her Majesty, and my Lord Treasurers friends being out of toune. As to the proceedings of the opposing partie in Parliament everie day confirms that noething is design'd but delays to protract time; and should they doe soe till the meeting here and that there shou'd happen to be any here to joyne with them the whole year might be spent in messages and conferences and lose thereby the Union and all publick business. Therfor seing noe better use has been made of time by those without dors its thought you should go more vigorously on within. The thing is soe just in itselfe that there is not the least doubt but a few months will satisfy evrie body of the advantages that will acrew by it. I believe people here will not easyly be brought to understand how any arguments can be brought against a communication of trade, especially by those who had soe much to say for it two or three years agoe. For my part I am convinced if that very particular were understood it wold turne the mob on the other side. This leads me to regrait that Dr. Gregorie was not there about the Equivalent. He says he will forfault his head if he convince not the most obstinat of the justness and fairness of it; and if need were he will yet come. These two may be men of letters and figurs, but if they are not acquented with business and the practicall part of business and even the custome of this place soe that they know the grounds upon which things were done, its impossible they can understand what they are about, for example, anuitys at soe many years purchase. There notions or there reason or the practise of other countries may make them think anuity for one, two or three lives are too low or perpetuitys. Yet all that are here know they are full market price. And Mr. Paterson will helpe to confound this for he talked of 20 per cent. when the dayly practise on the Exchange was 15½. So your Lordship may easyly judge from this it is not arithmetick only that can make a man understand the equivalent. Besids I am affrayd Dr. Bower is not much for us. It seems there are some errors in writting or printing the equivalents, but I have not heard them nor have seen any Scots prints either of the Articles or Minuts. But the doctor has examined those printed here and they differ much from my originalls. The doctor has wrote a letter to be communicate on the subject, which I herwith send to your Lordship for the more speedy delivery. It may be of use. The Comissioner sent me up a signature in the Earle of Hopton's favours for a thousand merks a year, which I have returned herewith to his Grace. It seems that Earle has behaved mighty well, and therfor the Queen granted it very freely.

Sir David Nairne to the Earl of Mar.

1706, November 1.—It is mighty well taken that your brother's letter is not to be made use of till the Parliament is over or near it. You can not imagine what a low oppinion evrie body has of the M[arquis] of An[nandale] and I doe assure you if it turne now it will have noe effect in the oppinion of your friends. He or some body in his name wrote to a friend whom he trusted here to tell the Earle of Sunderland that he wold be for the Union. But that Earle is more disoblidged then the rest for it seems he took more pains then others on the assurances he had that the Marquis acted from a principill, and that he wold containow to be for the measure whither he was oblidged by the Court or not. Soe that had he acted that part vigurously and showed himselfe more publick spirited and less interested, he wold have had such friends here as might with there assistance made him pritty topping. Now I dare [say] all his enimies joynd could not have soe effectually done his business as he has himselfe. There is one step of it could be hansomly brought about and that is to get the Justice Clerk in a line when he writs to any of his correspondents only to disaprove of the Marquis's conduct. It wold doe good if it were never soe slight, and by way of regrate for his not being advised or the like. *Verbum sapienti.* George Dalrymple gives me account of proceedings some times. In his last he says I hope the Union will doe and if it shou'd it will be chieffly owing to the D[uke] of Ar[gyle]. I wish it be done, I doe not love gutting fish befor they are caught. I fancy too the D[uke] of H[amilton]'s conduct of late has not done him much good in the oppinions of those who were willing to favour him soe much as to humor him a little, and therby keept him as if it were reserve, either to imploy him really or to keep him in vew of being imployed for a ballance to others or a pair of taws.

The Earl of Mar to Sir David Nairne.

1706, November 3. Edinburgh.—It was so late last night before the Parliament rose and we were so weary and hungry that it was impossible for me to write by the ordinary post; but the Comissioner thought it fit to send a flying pacquet to-day, which I hope will be with you sooner than yesternight's post. I know my Lord Register will send you the minuts of yesterday and Friday, by which you will know our procedure. With much strugle and difficulty we have got thirr two days bypast at the first Article of the Treaty. Yesterday the House met betwixt 10 and 11 a'clock, and it was dark very near before we cou'd get at that Article. After we got at it we proceeded to reason on it in order to bring it to a vote in the terms of the vote which we carry'd before. We got lights, and the reasoning lasted till 8 a'clock. Annandale argued against ane intire Union as being inconsistent with the Claim of Right, and so did all their opposers, notwithstanding of their being run down in that. But their way is to mind nor regard nothing that is said against

them however reasonable, and evry one of them repeat what ane other says; and some of them yesterday spoke near ane hour at a time, which retards us extreamly. But there's no help for it. Bellhaven made a long speech, and told us of a vision he fancy'd he saw, wherein he represented the Union to be very horrible; but this speech of his was made pretty ridiculous. It is too long to give you a full account of it and the replys. Kincardin or Broomie spoke much and represented the Union with the grossest falshoods you can immagine. Fletcher gave us two of his study'd speeches, which certainly we'll have 'eer long in print as allso Bellhaven's. The Duke of Hamilton spoke too with a great deal of force (I mean loud speaking). He said that he thought the Queen and prerogative was concern'd, so that the Queen's lawyers ought to be heard; and named the Advocat who was there but said nothing. He had been with the Duke three mornings before successively, closs by themselves, and he seldome comes now to the House, tho' yesterday he was with us in both the votes. He behaves pretty well in the Commission of the Kirk, who are still sitting and with great difficulty and pains are keept from going wrong, which I'm affraid they will do at last. My Lord Roxburgh spoke very handsomly for the Union, and gave Bellhaven his payment particularly. It is needless to tell you what we all said or what more of us spoke since most of us all did; but our endeavour was to bring it to the vote and their's to speak us and our friends weary. It grew at last so late and evry body faint with hunger, for most of us had eat none that day, that a great many grew weary; so Annandale and many of the opposers proposed that the debate should be adjourned till next sederunt. Some of us proposed a vote, Proceed or delay; but a great many of our own friends growing weary and sent word to the Chancellor that they were for delaying, that it was not thought safe to venture the vote; so there was ane acquiescence to the delay, and we were adjourned till Munday. We all had been glad that we cou'd have got to the vote, Approve or not in the terms proposed, but there was no help for it. And tho' the vote to proceed or delay had been put and the first carry'd (which would have been but by a small plurality at best) there wou'd have been so much speaking afterwards that we might have sitt four hours and not got it to the vote neither. But on Munday I hope we shall finish it. I forgot to tell you that the Duke of Athole spoke against us too, tho' not so long as others. Sir D. Cuningham and Sir Pat. Home had two of the longest speeches against us. By the ministers preaching up fear and danger, and their carriage in the Commission, and the misrepresenting the Union by others, the humour of the commonalty are mightily against us; and untill the first Article of the Treaty be approven I doubt not but we will have more addresses against ane incorporating Union; but they will signify nothing, And if once the Parliament had gone throw some of the Articles and settled and secured the Church I hope the humor will turn about. There's a vast deal of pains taken to give a wrong

impression of the Treaty, so 'tis litle wonder that simple well meaning people are deluded. We have a certain and great plurality in Parliament, so I hope (tho' it will take more time than I could wish), yet we will get throw and carry it; tho' our opposers stick not to say that the Parliament will be rais'd by force, which I hardly beleive will be ventured on. However, 'tis fit I shou'd tell you what's said. Just now I have got yours of the 29th, but we long for ane answer of ours which were sent by the flying pacquet giving ane account of the rable, that we may know how it was taken with you; and this we hope to have to-night by a flying pacquet.

I have got most of the pamphlets wrote here concerning the Union for you, but they are so bulkie that I must send them by parcels, and when you get them few are worth the reading. Only you will see how mad people are, and what false glosses and views are put upon it. Hodge has sent down a book here (what I wrote of formerly was not his), this is come since. I doubt not but you have it with you at London, but for security I shall send it. You'll see it the oddest that can be immagin'd, but it is right calculated to catch the ministers and comonalty; so really it has done harm, which I know will be thought odd with you when people see it. The Committy here are busie about the Equivalent, and allready most of the mistakes that were objected are found to be none, only one in the transcribing which evidently appears to be no mistake but only in the writing that a 3d figure is in place of a 2d. So I hope the calculation will hold too, which we'll know in a day or two. The two calculators are Dr. Bower and Mr. Gregory, the doctor's brother. However, I wish the doctor were here himself. I'm sure he wou'd be of use both in this and other things, which makes me wish that he were sent yet. We were affraid that the Excise wou'd not hold as we represented nor the salt, by what those who wisht well to the Union told us; but upon enquiry they will hold too, as they now find, especially the Excise, and the salt too very near at worst. But there will be a necessity to get a drawback on oats and oatmeal, for it's the grain of the generality of this nation, and there is no drawback on it in England. But certainly a drawback on it will be for the advantage of England as well as Scotland after the Union, so I hope this will be no difficulty. But ee'r long you will get a memorial of all thirr things wherein there appears a necessity of ane explanation. When once we get the first Article approven, we are to go upon securing the Church, as you'll see by the resolve we carry'd; and this will probably give us a great deal of trouble, for the ministers, at least most of them, are grown very wild. After that is tabled there's a necessity of our going to the Cess, for we have nothing to subsist the troops with this month. By all which you will see that our work here will neither be easy nor short. . . . . I'm credibly inform'd that the opposing party's last shift is to be ane Act setling the succession with limitations as formerly proposed, and that

Annandale, Duke H[amilton], and all his people, ar join'd in this, and that Annandale is to propose it. But they will not have pith in Parliament to carry this either, for the new party will stand by us for the Union against this too as well as the other pretences for obstructing the Union.

I know my Lord Montrose has given you a particular account of the addresses, so I shall say little of them, only as to that from Angus, which shire has ever been dissafected to this Government both of Church and State, and they will as willingly adress against the first and I'm affraid wou'd not scrouple over much to do so as to the last either. (*Copy*).

Sir David Nairne to the Earl of Mar.

1706, November 5. Whitehall.—The proceedings of the 28th and 29th received by your Lordship's yesterday make us all impatient to hear of Friday's and Saturday's last, which if good are expected the morrow by a flying pacquett. Its very lucky that the affaire of the Earle of Isla's patent was soe adjusted. If any breach should happen now it wold give the opposers too great advantage. I finde some people there are as industrous to give fals informations from thence hither as they are to breed mischeff otherways there; which gives me a world of truble, first of goeing to particular great men to give them first information, and then to as many of my own friends as I can; who goe to publick places such as chocolate and coffee houses, and I know it has obtained soe far that friends to the Union whom I never saw send to me to know if such and such things are true in the prints. I hear Mr. Shute is come. I am not acquented with him, but am promised I shall He wrote ane account what was said to him by the M[arquis], and I beleive he did it with that sincerity that it was given out here that his Lordship was positively for the Union. The Queen took notice of the Earle of Wigtouns being amongst the protesters. She also asked who Mr. William Southerland was. I gave noe direct answer, not being sure, but I fancy he is brother to my Lord Duffus. Since I begun to write I had a letter from my Lord Treasurer telling me the Queen wold write to the Duke of Argyle and Earle of Marchmount, to which last she does frequently. And he has write this night to the Earles of Haddington and Merchmount. His Lordship is very glaid that those wrote by the Queen and himselfe to the Marquis of Montross were acceptable, as your Lordship writs they were; and wishes those sent on Friday may please as well, which were cheiffly to press the forwarding the grand affaire with as much convenient dilligence as the nature of it will admitte off. I hope they will be approved off. I long much to have it over.

Mr. Thomas Fullarton to the Earl of Mar,

1706, November 5. Mr. Eaglesfield's in Cecill Street in the Strand —I find amongst the English a generall disposition to the Union and great resentments against those that oppose it.

And our countrymen before I came here had prepared and signed a modest address to your Parliament on that subject, but they were told it was needless and therefore it was not sent down, tho' some of them think it might have been sent to your Lordship, and left to you to consider whether it was fit to be presented or not.

It is comonly talkt here that the great worke you have in hand is obstructed secretly from hence and also from the other side of the water. But I hope you will overcome all opposition. There must of necessity be struglings before the new birth, and the good and great labours of Herculess (were most of them of this nature and) were all attended with pain and difficultys. I have on all occasions observed how zealous and capable you that have the management of this affaire are, and how impossible it had bin for any other set of men without your concurrance.

The Earl of Mar to Sir David Nairne.

1706, November 5. Edinburgh, after 12 at night.—I'm so very bad of the cold and a sore throat that I am not able to say much. I know you have full accounts from others, particularly my Lord Montrose whose letter I saw, and allso the minuts and other necessary papers, so 'tis the less matter for my not writing fully. On Munday in Parliament things hapned very near as I wrote by the last flying pacquet. The opposers were going on in their wonted course, evry one of them speaking a dozen of times always pretending to have new matter. But after they had all spoken oftner than the rules of the House allow, we made the Chancellor stand his ground and keep them to order by our supporting him, which cost some of us a great deal of wrangling and loud speaking; but we could not have done it without doing so, else we had not been heard, their lungs are so good and they make so much use of them. We forced Bellhaven to give over speaking first, and then the Duke of H[amilton], much to their mortification, and at last got to the vote, which we carry'd by 32. A good plurality, but fewer than we expected. What with the addresses and the humor that's now in the country against the Union, several members left us, tho' I'm hopefull many of them will come about again. But I beleive who were with us in this vote will be staunch. Some people left us which we did by no means expect, particularly Glencairn and Buchan, who had spoke as firmly to us formerly on this measure as we cou'd wish. What's the reason of their doing so I cannot comprehend, but certainly pains has been taken to debauch them. We shall try to retrieve them, tho' I confess I have not great hopes of succeeding; but if we do not, tho' they be both my cousins, I'm sure I shall never speak to save them, and no body can blame the Queen for using them as they deserve. They did not so much as tell us before hand of their intending to do so, which was not fair. Lauderdale came not near the House for some days bypast, and when he comes I'm affraid he'll be against us. His lady has great power with him, and so has she with Glencairn, who is her cousin. She

is very ill affected to the Union, and so I believe their cariage is chiefly owing to her. Glencairn had not got his letter of pension, and now we must think before it be given. If the minuts be not particular enough, I'll endeavour to send you a list of Parliament marked how evry man voted. Just as the vote was beginning and the Duke of Athole entered his protest, the Duke of H[amilton] said he had a concern which his familly was concern'd in, and if he might protest afterwards he would not then trouble the House with it, but if not he wou'd enter it now. Evry body were so desireous of coming to the vote and fearing some new debate that he was told he might protest afterwards; so he still reserves it. You will easily know that it is the right he pretends to the Scots Crown after King James 6th's heirs. You think we proceed slowly and will now proceed faster. But were you here you wou'd be convinced that it is not in our power, and 'tis very fair we do as we do, evry thing considered; so our work will not very quickly be over. I hope notwithstanding of this we'll carry it. But people who wish well to the Union and will go thorow stitch think that there will be a necessity of explaining the Excise, the Salt, the Drawbacks, and some other things on Trade; but you'll see this more clearly by the memorial which I hope will be ready to go by this express. Our friends with you wou'd considder in time if those things will go down, and in what manner 'tis best to put them. If they will not 'tis needless for us to strugle to pass the thing which wou'd not do in England afterwards.

I'm glad the Queen resents the mob so much and folleys people are like to commit here. There's a great confluence of people in this place, and when the Parliament meets people on the streets look pretty mobish, especially when it sits late. The Duke of H[amilton] gets a huzza yet evry night he comes from the House, and some other people get names not very agreeable, so you see the humor people are in. The Kirk are still like to go mad, which is not a small occasion of this; and the Advocat, tho' he does not vote against us, yet underhand does a great deal, and we are assured that some places if not most of the country are to rise. It is publickly talked that the Comissioner will never live to touch this Act, and 'tis but too much to be feared that there is some villanous design in hand not only against him but others, and I wish I had not too good ground to believe this. However, we are not soon fear'd; we'll go on and I hope defeat these divelish designs. I'm sure we have a good cause and must stand by it. We are not a little incouradged with the support the Queen is resolved to give us. I confess I do not so much comprehend any rising as some villany, for there's people here capable of anything. But I can tell you no more of this, at least for some time. I suppose now our friends and evry body else with you will have no more doubts about Annandale. The Justice Clerck never fails to answer him when he speaks in the House, and now I believe will not scruple to write freely of him; so 'tis needless for me to say any more about him. Most of those

who are Jacobitishly inclin'd join'd with Annandale in his resolve, so you see they wou'd do anything to defeat the Union. Tho' we have carry'd this vote we are far from having ended our business; but the Queen and our friends standing by the measure and supporting us will, I'm very hopefull, make it succeed, tho' it cost some time. To-morrow we are to be on the Church Act. There will be great endeavours to stuff it with such things that cannot pass in England, but I hope we'll prevent that, tho' I'm affraid that we will be weakest on this point. We'll endeavour to give this Act a first reading to-morrow as it is, and then go to the Cess which is absolutely necessary. You may be sure, and you may assure evry body of it, that we shall lose no time we can help, but proceed as fast as we possibly can. We are now too far dipt to look back, and I must do the new party the justice to acknowledge they act very heartily in this measure. My letter is now much longer than I intended, and I am not able really to write any more, so I leave it to others to give you ane account of the meeting of the Burrows and the Commission of the Assembly.

November 6.—I had a letter from Sir John McLean some days ago desiring me to speak to the Duke of Argyll to consent to his coming to Scotland. The Duke has nothing to say against it on any account of his own as he tells me, but the Queen's servants are all of opinion that his coming here during the time of the Parliament might be inconvenient to the Queen's service, which I have wrote to him, and you wou'd tell her Majesty and my Lord Treasurer of this.

I have sent you all the minuts that are printed and seven pamphlets. Belhaven's speech is beside, which I believe you will think the most impertinent paper ever you saw.

12 at night.————The memoriall not being fully reddy to-day before the time of going to the House the flying pacquet was delay'd til to-morow morning. To-day in Parliament after wrangling a long time about some adresses and adjusting the minuts, the Act for the Church was read, and a first reading markt on it; and then the Act for the Supplie, and a first reading markt on it too; so that we advanced as farr as we cou'd expect to-day. We had severall things to manadge out of House to-morow, so were adjourned to Frayday. The force of adresses are now very near over, and if once the Church Act and Cess were over I'm hopefull the countrie will gether their wits again. Mr. Fullerton is at London e'er now; pray get our friends to take notice of him, for he was very usefull here. Give him my service. I'm sure he'll be surprized with the humour that has appeard against the Union since he left us; but after all the adresses come in, which have been mightily solicited. I'm sure the fourth of the nation either in substance or numbers will not be found against it. You shall have the printed list of Parliament as they voted by the nixt post and as they were adjusted in the House to-day. I'm as sleepie now as I was last night at this time, so adieu. I'm hopefull to reclaime Glencairne. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 7. Whitehall.—Your lordship cannot imagine how earnest the Queen and evrie body here are to know of what passes. The author of the Flying Post designs all the mischieff that he can, particularly that paper of Saturday last about Salton, for instead of askeing pardon of the House he makes Salton use the Treaters worse, and the turn he gives to the Earle of Arrall's protestation. If you will give me authority I will complain of him. I beg the favour of your lordship to let Mr. Raite send me evrie post two coppys of the minuts as they are printed, for its necessary I keep one and the other I give amongst friends."

The Earl of Mar to Sir David Nairne.

1706, November 7. Edinburgh.—The Memoriall was to alter in severall things which has taken all this day to do, so the flyeing packquet could not be dispatched sooner. It fell well out that Montroses's letter went by Tewsday's post (which was by chance) for it will certainlie be with you before this. The memoriall is full so I need not say much upon it, but it is by the joynt oppinion of the Queen's servants. I wish with all my heart that these things proposed by it may be agreed to, for unless they be I have but small hoaps of success.

The Commissione of the Assemblie have this day gone on in their own way. They declair that it is their oppinion that no churchman shou'd bear any ceivill office, and that it is contrair to the Covenant, therefore that they cou'd not be sillent lest it shou'd be thought that they consented to the 26 bishops sitting in the Parliament of Brittane. This with some other things are to be layed before the Parliament to-morrow in an address from them, which shall be sent you. Rothes, Jerviswood, the Justice Clerk, and some others dissented from and enter'd their protests against it, but it was carried by fourtie votes. Mr. Carstairs has acted a very good pairt all allong, and is sensible of their follie. My Lord Minto, who you know better by the nam of Sir Gilbert Elliot, was one of the most violent for the adress, which I confess is but what I ever expected from him. One thing I most say for the Kirk, that if the Union fail it is oueing to them, and since it is so they act fairlie in takeing the burden upon themselves; but if they will be able to bear it I shall not determine. When all this is done I beleive it will not alter five of our side in Parliament, so I'm not yett much affraid. Wee have nothing to do but to stand by the measure, which I'm sure some of us, and I beleive all, will doe to the last. I doubt not but the Queen will continew resolat in the measure of the Union, and so I still reckon on its succeeding, tho' it may coast some time. I'm shure wee can have no settlement without it, for though the succession were made the measure that those who were Jacobitish now seem to joyn in, yett if it were they wou'd jostle it out again with the Union or a Treatie.

There was a storie in toun to-day that the Incorporationes were to adress against the Union. And I know their has been great paines taken to make them do it; but they have not yett consented to doe so, and probablie they will not. But if they should it would be insufferable, and the Queen behoved of necessitie to remove the Judicatories and the Parliament from this to Stirling, which would make the toun repent of their follie. And this has been done severall times before. But it is needless to say more of this till wee see how they adress.

If wee loose not the morrow by reading adresses I hope wee shall pass the Cess, which will putt us more out of reverence, and I hope will by that be a spurr to the Union. I have wryt to no body else by this packquet, so you may read this to my Lord Treasurer if he has so much tim. We'll long for ane answer to the memoriall. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 9. Whitehall.—I had the flying pacquett of the 3d just as I had sealed my letters last post. I in the first place wish your Lordship joy of your young son and my Ladys soe good health. The Queen made your Lordship a complyment upon my reading your letter. She asked me if he was the only son and what his title was, neither of which I could answer. . . . . We conclude certainly that the first Article of the Treaty is approved because if it had been otherways I suppose a flying pacquett wold have come. People here being as ignorant of our constitution as of our humors wonders mightyly why any such long delays can be in the House before bringing to a vote, because here in the House a member is to speak but once. I hope the ley elders will gett the affaire of the Church rightly adjusted, and then its supposed here that humors will turne a litle to the better. Your Lordship, as well as some I have had from the Earle of Cromertie, gave me occasion to speak both to my Lord Treasurer and other Lords about the drawbacks on hereon and oatmeall, etc., and they all think noe scruple should be made in the articles for any of these objections, for that they are confident upon the representation of these to a Parliament of Brittain they must be soe remedyed as is most for the advantage of the whole Island. And they say there may be twenty other particular commoditys not mentioned that must be incouraged in one place more than ane other, as shall appear most for the interest of the whole. I long to see my Lord Belhaven's visionary spech. My Lord, I finde many, ney most of our countrie men who live here are for sending ane address to the Parliament shewing the great benefits will arise by the Union, and entreating and praying the House to forward the same as what is the greatest good that can be done for the nation. They have had severall meetings about it, but I will not be seen in it, lest if it goe on some malitious people might think it a Court project or that I put them on it as being advised from thence. There are just now two of their number

come to desire I wold acquent your Lordship with it, and if you think it will be of any use they will dispatch as speedyly as they can. I am mightily pleased that the equivalent is likely to hold good. I wrote befor that Doctor Gregorie was ready on a call, but I told the termes, and if he is sent for I beg that noething may be left to me, but let it be a positive direction one way or other. . . . . I wish your Lordship would resolve whether anything is to be done to the author of the Flying Post. I never heard anything of the story he tells of the passes at Stirling's being guarded to prevent the comeing doun of the Highlanders.

The Earl of Mar to Sir David Nairne.

1706, November 10. Edinburgh.—When wee mett in Parliament on Fryday we went on the Church Act. The address from the Commissione which I wryt of last was presented and read, and I have sent you a coppie of it inclosed. The opposeing pairtie proposed to delay the Church Act untill this address was printed, and wou'd have had the Parliament ordering it to be printed. But this wee wou'd not agree to. After some debeat the Duke of Athole spoke for the ordering the address to be printed and for delayeing the Church Act for that day, and proposed to goe on the Cess Act. After som more debeat we proposed to delay the Church Act for that day, but to order nothing about the printing of the address, and in the mean tim to goe upon the Act for Cess; and this was yealded to. So the Act was read, and the blanks filled up without much debeat. There is a month att this Martimes, a month and a half at Candlemiss, as much att Whitsonday, the lyke att Lambas, and so att Martimes nixt, and a moneth att Candlemiss therafter, in all eight months. The arrears and cloathing oweing to the armie from October, 1705, to October, 1706, is order'd to be payed out of it, and a month of it appropriat to the frigats and berlins. Wee cou'd not propose more at that tim, both for the poor conditione of the countrie and people wou'd not have gon allong with us. The month for ships is leitle, and will make their cruse short, so maney people are inclyning to give half a month more for them. Yesterday my Lord Marishall, tho' he had voted against the Cess Act, gave in a proposall for this, which is to be considered afterwards. The Cess att other times was thought a victorie. I think now it was a verie good daye's work for now wee are more out of reverence, come of our bussiness what will; and it pleases the troops, so makes them sure to us. There was a storie putt throw the toun that wee had given over the grand affair, and were now asking Cess, and then that the Parliament was to be adjourned. This I reallie beleive made the Cess Act go the more unanimous; but now they feind themselves mistaken. Wee satt again yesterday, and after reading some addresess proceeded to the Church Act, as you'l see by the scrole of the minuts, which the Register sends you. We had tuo votes, and carried them both. Att last it grew dark and wee were adjourned till

Tewsday; and then I hope we'll finish this Act. But the opposers will doe what they can to load it so that it may not pass in England. I have sent you the overtur for this Act as it was given in and the tuo minuts which have been printed since those you gott last and the list of Parliament as wee voted. Glencarne and Buchann voted with us yesterday, but Lauther-daill both spoke and voted against us in everie thing. When wee finish the Church Act wee are to returne to the artickles, and we'll have a batle to feight then, for the opposers intend to begin with the 4th artickle and to leave the 2d and 3d to the last. But we most by no means yeald to this for maney reasones, so are resolved to batle it. I'm afraid we'll be weaker upon this point than any, tho' I hope we'll carrie it; and if wee doe I beleive we'll grow stronger everie day. The handiecrofts men in Glasgow muster'd last week; notwithstanding of their being discharged by the majestrats they marched throw the toun with this inscription on their hatts, No incorporating Union, and then dissipat without doing any insolence. I have sent you a list of Parliament and those who are absent marked. Pray gett an effectuall ansuer to this express as soon as possible, but wryt it to non of us but Glasgow. I have sent you a papper concerning the Union which is called about the streets here, by which you'l see the malicious turn some people give to it; and also instructiones from the toun of Dumbartone to their representative. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706, November 12. Edinburgh.—By this flyeing pacquets being delayed till this night it will now bring you an account of this dayes proceedings, with which I'm shure you will be verie well pleased. You know the great rock wee were most afraid to spleet on was the Church; and notwithstanding of all the paines and endeavours that have been taken to delude people on that score, yett wee have this day carried the act secureing the Presbiterian Church government as now by law established in Scotland after the Union with verie leitle alteratione from the overture for that act which I send you in my other letter. My Lord Belheiven offered a clause to be added to it freeing Scots men from the sacremental test in England after the Union. It was long and stronglie debeat, and att last brought to the vote, add the clause or not, and carried Not by 39 votes. All those who used to oppose and were in the House faild not to be for adding the clause. My Lord Annandale spoke earnestlie and voted for adding it. Lothian and severall others of our people were not in the House, and some of our people who were in it did not vote, and yett wee carried it by a good plurallitie. Glencairne voted with us in this vote, but Buchan and Lauther-daile were against us, and so was Galloway to my astonishment. Craufoord did not vote. Severalls of the opposers were out of the House too, and Mr. Lockhart and others. There were some more clauses offer'd, but not insisted long on. Then the question was putt Approve the Act or no; but before calleing of the roles

Belheaven entred a protest, which you will see in the minuts, and severalls adheared to it. Likewayes before the vote it was proposed that everie man's name should be markt as he voted, so that they might afterwards be printed; which was done, and you shall have them when they come from the press. Wee carried this vote I believe by 74. Severalls who voted against the act did not adhear to the protestatione. Buchan and som others who had been against us in the last vote you may perceave by the great pluralitie were with us in this. This affair is well over and now I hope the ministers and populace will be pleased and the humor against the Union abait. I must confess I hardlie expected that this act wou'd have passed with so few amendments. We are adjourned till Thursday, which was neccessar in order to prepair people for the nixt point before us, which is the 2d and 3d artickles to be taken into consideratione before the 4th or any other. Wee are takeing all the paines in this wee can with everie body, and I hope wee'll carrie it, but I'm affraid wee will be weaker upon that than any thing wee have had yett. If wee gett at the 2d and 3d artickles first, which I hope wee will, I beleive wee will not have much difficultie in carrying them. By the Thursdays post you shall know what wee gett done in this matter.

I must doe the Justice Clerk the justice to tell you that he behaved this day as he has done all along verie firm to us. My Lord Duppline was sent for to the countrie on Sunday last to see his 2d son who is lyke to die of a fever, so that you will not see his nam in the printed list of this day. I think you verie much in the right to complean of Ridpath for his telling that affair of Salton's falslie; and the Queen's whole servants here are of that oppinione, and I was to wryt to you of it, tho' you had said nothing of it to me. Therfor pray doe it and gett him sensured. The postman had it prittie fair, but not so expreslie, as Saltone said he was sorie for it and beged the favour of the house and any body he had reflected on. Ridpaths account of it is intollerable, and in all his accounts of our proceedings he putts them in the most unfavourable light that can be. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 14.—Your Lordship knows the Queen has many good qualitys, and she has one properly belonging to her sex, tenderness. She is extreamly concerned for the Commissioner and all of you for fear of some villanous designs, and she earnestly recommends to take all the necessary caire that is possible. Your Lordship's last insinuats as if some discovery were made or makeing, and the toun has it that there is a designed assassination discovered. Noe body can be too carfull in such times; yet the sending about letters seems rather a designe to frighten. I doe assure you the Queen and all here will support her servants. A letter yeasterday from the Earl of Cromertie says, too, there is greater reasons of fear then any of the servants will give account of here lest it be thought timorousness in them. The Queen had resolved a good while

agoe not to let Sir John goe doun at this time, and I beleive he will not venture without leive. The proposall of D[uke] H[amilton]'s protestation is both laughd and wondered at. I reckon if the House were to take the Mar[ ] of 's proposall under their consideration the Duke's protest wold be good and made against the Setlement. It was talked here that he had entered a caveat to the Prince of Hanover's title of Cambridge. I have inquired into it and can assure you that one from him was at the Hearaulds office about it to make some stop as to the armoreall ensigns, and they at that office wrote to the Secretary of State about it. It's said he presented the toun of Preston in Lankyshire with a mace, and ane inscription on it, Ex Dono Jacobi Ducis de Hamilton, et Comitis de Cambridge. I have spoak with a friend of his about this, and he gives for reason that upon his mother's resignation on his new signature from King William he is called soe. Your Lordship can know the truth of this from the records. I hear the Earl of Abercorn is teyred there and comeing away. He loves to be taken notice of.

Sir David Nairne to the Earl of Mar.

1706, November 14. Whitehall.—Last post I said but litle, hopeing to have sent a pacquett yeasterday with the answer to the memoriall. My Lord Treasurer and other Lords are at great pains about it to have it for your satisfaction there, agreeable here, and coresponding to the articles as neer as is possible; soe that it taks some time to have it soe done, and therfore can not get it ready till the morrow. And lest there be then a longer delay I say now what I have to your Lordship.

The addresses does not give soe much uneasyness as the turne the Commission of the Kirk has taken. I must beg leive to aske your Lordship a question which indeed noe body has yet asked me. Whey has there not been some pains taken to gett counter address from some places? I hope there wold be as many and as good hands at them as at the other. It wold have been of mighty use here, for I finde people here, I mean coffee house company, begin to droop or dispond to hear of soe much doeing against the Union without doors and soe litle for it. What is it to that has given this turne to the clergy of a sudden, and what has blinded the borrows to make them oppose there oun interest? Scarse any body here believes that my Lord Belhaven made that speech, or at lest said it all in the House. It is a very odd one. Evrie body here as well as I are convinced of the difficultys your Lordship and the Queen's servants have and are like to have in this matter. Yet they think that the manner of opposition without dors should be good reasons to proceed faster in the House. Noe body can pretend to aske time for there information. Buchans and Glencarns cariages are very odd; I hope there is not fear of more. I thought the other had got new teys latly. The Queen is very glaid the others pension was not given him.

The Earl of Mar to Sir David Nairne.

1706, November 14. Edinburgh.—To-day in the House the debate was whether we should begin with the 2d article of the Treaty in the terms the Register proposed (which I have sent inclosed) or the fourth. The debate lasted till it was allmost dark, and at last we got it to the vote and carry'd to begin with the 2d by 26 votes, which we will do to-morrow, for it was too late to enter upon it to-night. Now since we have got at it I believe the greatest difficulty is over. In my last I told you that I was affraid that this vote would run narrow, for severals who will go in to the succession when once terms of the Union are explain'd and adjusted to their minds, yet would not join with us in voting the succession first tho' in the terms proposed, which you will think odd; but so whymsical people are here whom we have to manadge. Most of the Morray squadron failed us who used mostly to be with us. Glencairn was with us, but Buchan and Galloway were against us. I can say nothing for my friend Buchan, but when it shall be thought a fit time to dispose of his place to ane other I'm sure I shall say nothing against it; only if that be thought fit I wou'd recomend ane other of my name and a member of Parliament who has been right all along this session to succeed him. Lauderdale was against us too, and I believe will continue so. But it is needless to particularize any more since our names are to be printed as we voted, which I shall send you. Notwithstanding of many people's being against us in this vote which we might have expected to be for us, yet you see the plurality was not despicable. And now since this article is allmost over, I hope our work shall be much easyer after this than if we had left this article last as our opposers would have had done. You'll see the Marquis of Annandale's name in the print with those who were against us, so I need say no more of them. Kincardin or Broomie overeat himself yesterday, as I am told, so could not come to the House to be against us, as he certainly would have been in this as well as in evry thing else. We think here that this day's proceedings is a piece of a victory; I hope you will think so too. Tho' it costs time we have lost nothing yet, nor will we, I hope, if we get a good answer to the memoriall which was sent by the flying pacquet before the last. As for trusting to the Parliament of Britain for rectifications it does not sound well here at present; and except those of us who were treaters I'm affraid few will be willing to do it. By which you may see how necessary the memorial was, and how much reason we have to wish for a satisfying answer to it.

I believe the Comissioner and Duke of Argyle will not give out the commissions you sent for the Horse Guards till after the Parliament.

The inclosed signature and resignation we were forced to send up or else lose Killmarnock. The Comissioner said he was to write to you about it, so I shall say the less, but we told Killmarnock how great difficulty the Queen would have in

granting it, and I believe there needs be no great hast in it. I have sent you Defoe's 4th essay. He is still here. I'm not acquainted with him, but he really takes a great deall of pains in this affair. I have allso sent you ane other pamphlet concerning the Union. I'm told it is wrote by Mr. Clerck, one of our comissioners of the Treaty. Receive allso Mr. Seaton's speech which he read in the House that same day Beilhaven made his. I' m now so hungry that I'm forced to give over; but pray send me some of the pamphlets concerning the Union printed at London both *pro* and *con*. . . . . The Comissioner has been very much indispos'd to-day; I wish he may be able to come to the House to-morrow.

Since writing I have seen some people and I'm affraid of some more difficulty in carrying the 3d article before the 4th than I expected. But yet I'm hopefull of our carrying it, tho' perhaps it will not be to-morrow.

There has been a litle mob at Glasgow, which I believe is now over. Those people have allways been mobishly inclined, and at this time their ministers have stir'd them up and fomented them not a litle, as I'm told. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 16. Whitehall.—All here are very desireous to give satisfaction to all that are friends to the Union in all particulars, especially these contain'd in the memoriall; but how to doe any thing by way of addition or explanation to any of the Articles of Treaty is hard. They think it may endanger the whole. Particularly stipulating a premium for exportation of oatmeall, for that is payt out of the customes. And first there can be noe computation what it wold amount to yearly, and next it wold alter the whole calculation of the equivalent on that revenue. Yet its thought very reasonable that ane allowance shou'd be made in proportion to what is here on oats. As to laws for prohibiting the importation from Ireland, its thought the containowing of them is not inconsistent with any Articles of the Treaty.

Sir David Nairne to the Earl of Mar.

1706, November 16.—The Treasurer told me he had got a very impertinent letter from Lord Belhaven with his speech, to which he has write ane answer that will not be very satisfying, as his Lordship says. He would fain be sure of the delivery of it, yet had a doubt whether to send it by me for fear it should look as if conserted. Therfor I intend to send it under a covert to Pencatland and inclosed in your Lordship's this night by the common post. The cover is not seal'd; if you approve of that way your Lordship will seall the cover and send it, or if any person is more propper to send it to, your Lordship will doe it. I told my Lord Treasurer I wold take this way; and this notice will caution your Lordship not to open the pacquet when many is present.

The Earl of Mar to Sir David Nairne.

1706, November 16. Edinburgh.—Yesterday in Parliament wee had more strugling to pass the 2d Artickle of the Treatie than I expected after what had happned the day before; but wee gott throw it att last and that Artickle was aproven with the reservatione that I wryt of in my last. At the begining of the debeat yesterday the Marquis of Annandale said that he had offer'd two resolves some tim agoe; he desired the last of them shou'd be read, which is satleing the successione on limitationes, which he thought was the onlie way it cou'd be done, and that voteing it as an artickle of ane incorporating Union was putting such a slur on the protestand successour that wou'd not be in our power to remidie. He was seconded by the Duke of Hamilton and most of that side. The Duke of Hamilton some tim after that made a long speech and addrest himself to the Commissioner, which was never done before and is contrair to the rules of the House. I cannot mind all he said, but it was representing to him that he might lay it before her Majestie the humour of the countrie against this Union, which appeared by the addresses, and that everie body was willing to setle the protestand successor, which if her Majestie knew he doubted not but she wou'd be pleased to give a recess, and after that to call the Parliament again for sattling the successione; and otherwayes he was afraid of troubles here and of a civill war. The Commissioner made him no ansuer, but pointed to speak to the Chancellor, which he afterwards did much to the same purpose, and concluded that the Parliament shou'd address the Queen for a recess. He was seconded by Balhaven (who made a long speech too), the Duke of Athole, Marquis of Annandale, Fletcher, and most of that pairtie. This was spoke too a long tim. The Queen's servants and all who are for the Union spoake against it. I said that to me this propoasall lookt verie odd; that the Parliament had alreadie voted that we shou'd take the 2d artickle under our consideration, so I thought wee were obleidged to give our oppinion on it before any thing else. As for the recess that was proposed wee shou'd address, all the reasone I heard adduced for it was the humour of the countrie, which was known by the addresses from severall pairts. This I thought no reasone att all, for the storie of the addresses was verie well known. They were procured by people mostlie disafected to the Government, and they had been industrious to misinforme people of the termes of the Union and aver'd manifest falshoods; that those who had addrest were mostlie of the commonallitie, and some of them forced to signe them; that noe body cou'd say that the nationes inclinationes was knowen by those addreses, for the quarter of it had not sign'd them. But tho' a great deall more had, what did it signifie. I was not for dispising them, but giveing all the regaird to them they deserved. They had addrest the Parliament it is true against an Union as is agreed by the Treatie, and desired that the Parliament wou'd not goe heastilie into it. It

was certaine they did not understand it, nor were they capable nor fitt judges. The Parliament was the fitt judge to consider of the terms of the Union before us, which certainlie they ought and wou'd doe. If they saw reason to approve them they wou'd surlie doe it. If ther was found any thing in them wrong it would be alter'd. If any thing wanted to be explained it wou'd be done; and after all was gone throw if the Parliament lykt not the whole it was in their power to throw it out; and if they lykt it, it wou'd be approven. This was the way to see whither or not those addresers were in the right or if they were misinformed and knew not what they did. And what ever the Parliament did I doubted not but wou'd convince the addresers and the whole nation of the reasonableness of it; and that as I doubted not of their addressing dutyfully so I as leitle doubted of their aquiescing to whatever the Parliament determined. Wheras otherwayes if the Parliament shou'd address the Queen for a recess upon the addreses from the countrie without considering every artickle of the Treatie, this was makeing the addresers the Parliament's masters, and the Parliament wou'd be to blaim not to consider whither the addresers were in the right or not; if in the right to be of their opinion, and if in the wrong it was their duety to bring them out of the mistake, and not to address the Queen as if the Parliament were in the same opinion with the addresers without considering the termes. I aded further that I had alwayes been for keeping the successione open that wee might see if it were possible to gett an Union by sattleing it, and it had now the good effects that a Treatie of Union was laid before us. Therfor I thought it our duetie to our Queen, our countrie, and posterity to consider it cairfullie, and if wee found it good for us to goe into it, and if otherwayes to lay it aside and settle the successione in the Protestant line as England had done, which cou'd now no longer be deferred. As to the civill war that some members threatned us with, perhaps (said I) I am not one of the stoutest members amongst us, and yett I saw no reasone to be affraid; but suppose ther were, ought not everie honest man to doe conforme to his conscience and to goe on to serve his countrie in getting a happy settlement for it notwithstanding of any bugbear that's thrown in his way. Upon all which I thought the Parliament shou'd goe on to consider the 2d artickle and so on to the rest, and previous to anything else to give their opinion of this 2d artickle which is before them; and if that did not carrie it was then tim to take the motione made by the Marquis of Annandale under consideratione. Ther was a great deall more said by others. Enster made a long speech, and told us since wee had heard of visions he wou'd tell us of one to counter the other; but it's too long to wryt. Dougall Stewart, Earle of Bout's brother, said the Act of Parliament satling the succession on the nearest of blood behoved first to be reshinded, and that if the Duke of Savoy offer'd his son and he turned Protestant he had certainlie the right to succeed. This was plain dealling, and the

mind of a great maney of our opposers, tho' they doe not tell it so plainlie. At last wee cam to state the vote. Lord Belhaven proposed it to be Approve the artickle or Address, and was seconded by all that pairtie; but wee said their behoved to be an yea or noe on the artickle, so wee proposed Approve or not. This was debeat a long tim, and att last the vote was putt what should be the question first or second, ours the first and Belhaven's the 2d. The 1st carried by 65. When that was over wee called for the vote upon the artickle as had carried. But Fletcher was full of a studied speech and so wou'd interupt the calling of the vote untill he spoke to the artickle. But this wee wou'd not allow of, because the debeat was closed. He was seconded by Duke Hamilton and all his pairtie. Wee wou'd hear non of them speak; and so with their bauleing to be heard and ours to stope them the Houss cam in a great confusione. After wee sattled a leitle, some proposed the reading of the tuo Acts of the English Parliament mentioned in the 2nd artickle, which for quiet wee yealded to upon their agreeing to vote imediatlie after whither the vote upon the artickle shou'd be called or delayed, which was done and carried by a good plurality to proceed. Before calleing the vote upon the artickle my Lord Marishall entred a protest and took instruments on it (which the Register sends you) in his oun name and those who wou'd adhear to him. Then the vote was call'd and the artickle was approven by a plurality of 58. Our names as wee voted are to be printed, so I shall say leitle of particular peoples voteing. Only Annandale, notwithstanding of all he had done this Parli[ament] and what he said to-day, that voteing the succession in ane artickle of the Union was putting such a slur on the Houss of Hannover as wee cou'd not afterwards remidie, yett he voted approve. I know not how he will behave afterwards, and it is much doubted here, but a litle tim will try.

Wee were adjourned till Munday, and then wee will be on the 3d artickle. I beleive wee will have some dificultie in getting it approven, but I hope wee will carrie it too; and then I think the hardest of our work is over; and I doubt not but wee will gett the Treatie approven (tho' it take time) if we gett a favourable answer to the Memorial, which we long verie much for. I reckone the last tuo dayes verie materiall ones, which made me wryt the fuller. I have not troubled the Treasurer att this tim, therefore you would shoe this to him and lykewayes give the Queen an account of it, if she has not tim to hear it read. For our friends satisfactione if any of them wou'd be fullie informed you may shoe it them, for it's true matter of fact.

Ther has a mob hapend at Glasgow, mostlie occasioned by the preaching of their ministers. But I know my Lord Montrose wryts to you by this post, and he being acquainted in that place by liveing in it I leave it to him, who has promised to give you an account of it. I hope it will prove nothing and quicklie be over. Wee have no more forces than is sufficient to guard this place, so can send non ther tho' it were expedient, which I doubt if it were. But in my opinione the best way is to lett them cool

in the same skinn they grew hott in, as the proverb is, and after the stirr is over to punish the ringleaders who are knowen. The provost or mair is a very honest man, and had they gott him in their hands they had certainlie tore him in pices, but he esceapt and is com here. They riffled his house; so all the Queen's servants are of oppinione that the Queen shou'd order the Treasurie to pay him an hundred pounds, and for that end I have sent you inclosed a scatch of a letter from the Queen to the Treasurie.

As to the storie which Ridpath has in his print about guarding the passes about Stirling, there's nothing of it but this, that ther was quarter'd at Stirling a regiament of foot, and when they were all called in here to toun three troups of dragouns who lay at Perth were ordered to remove to Stirling. But that fellow Ridpath as I told you before putts everie thing here in the worst light it can bear, so pray complean of him and gett him punished.

Last night before the Parliament rose it was dark, and as the Commissioner went to the Abie, the Chancellor and the Duke of Argyle being in the coach with him, ther was som stones throun att his coach. One of the guards were hurt; but it being dark it cou'd not be knowen from whence the stones cam, but som of them falling upon the rooff of the coach it is probable that they cam from windoues.

As to that address from our countriemen receiding at London to the Parliament, pray forward it and lett it be sent doun to some of us as soon as possible to be presented or not as wee judge fitt; for I'm just now of the opinion that it wou'd be of service. Tom Couts has wryt doun some letters here, which I'm told has been of good use amongst the mertchants. But it's incredible to beleive how ignorant our mertchants are even about trade any where out of this kingdome. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 19. Whitehall.—The Duke of Marlborough came last night, and this day my Lord Treasurer did appoint me, but he was soe taken up with his Grace and twice at Councell that I could get noe time of his Lordship. I read what was propper of your letters to the Queen. She and others at Court think the gitting of the Cess a verye considerable advance; but I must say amongst other people the grand affair is soe much in their head that the Cess is hardly talked off. The Act for security of the Church being over gives very great satisfaction, and the alterations are rather amendments than otherwayes.

The Earl of Mar to Sir David Nairne.

1706, November 19. Edinburgh.—Sir, I have received yours of the 12th and 14th. You wou'd know by mine of the 16th that the Parliament was to be on the 3d artickle of the Treatie

yesterday, which it was. The debeat upon it lasted the whole day till it was dark, but the particular procedor you'l know by the minuts which the Register sends you. People were not keept long in suspense what pairt the Marquis of Annandale wou'd act after his approveing the 2d artickle; for as you'l see att large in the minuts he entered a protest against the 3d artickle in as weightie termes and as much suited to the humour of the populace here as he cou'd feind out. And he had conserted it with the heads of the opposeing pairtie, which appeared by the Duke of Atholl's speaking of a protest that he said was to be made. Then the vote was goeing to be called, and before Annandale had spoke of it. Some tim therafter his lordship of Annandale spoke fullie against the 3d artickle and then entered his protest and took instruments on it. The Register sends you too a list of those that adheared to this protest, and our names as wee voted, by which you'l see that the artickle was approven by a plurallity of 30. E[arl] of Eglingtone, who has been with us all this Sessione, left us in this vote. The passeing this artickle was a good dayes work, but before wee cou'd possiblie gett it done it was dark and wee had candles above an hour. As the Commissioner went to the Pallace the mob on the streets threw stones at his coach and maltreated one of his servants, Crawfoord, who was on the streets by chance and not near his coach. Some of the stones cam from windous; and it was so dark that all the guards cou'd do non of the mob was catched. This was much insolence, and haveing been done more than once, tho' not so much as at this tim, that the Commissioner thought fitt to call the Queen's servants and other friends to the Abbie this morning and laid the affair before them, and desired them to consider how the actors might be discovered and punished, and how the lyke might be prevented in tim comeing. Wee all resolved that it should be laid before the Parliament this day, and that it shou'd be inquyred into what had been done as to those who had been catcht of the rablers and commited to prisone som tim agoe that the Constable was to judge. This was accordinglie done. No body indeed did offer to justifie the thing, nor durst they. So it was remited to the Committie already named to inquyre into, with power to them to call for persons and to imprisone such of them as they thought fitt, to promise rewards and indemnities for discovering the actors and abetors of this affair, and to report to the Parliament; and also that they shou'd think of fitt methods to prevent the like in time comeing. So I hope ther will be some discoverie made in it. As to those in prisone wee found nothing has been done, so wee order'd them imediatlie to be prosecute. Ther's certainlie more in all this affair than meerlie the mob, and I hope it will som tim or other appear. Wee are told from some places of the countrie, especiallie the south, that ther's a viset designed us by some numbers in armes, and that ther has been mustering of them in severall places is certaine. Nothing I doe reallie beleive wou'd keep this from being putt in executione but the seasone of the

year and the bad wather. All the troops are scarce sufficient to guard this place, so if ther were any riseing there is no troups to send against them. The Queen knows this and our circumstances already; however, you may acquant her with it again, and her Majestie will certainlie take cair that the Parliament sitt in saftie and be keept free from insults. If any thing of riseing happen att all it will be prittie soon, so the remidie should not be delay'd. I'm hopefull now that nothing can make the Union miscarie here but force, and it wou'd be hard if it shou'd faill so, when the plurality of the Parliament are for the thing and have alreadie past the most deficult things of it.

You nor your friends with you need be surprised at nothing that the opposeing pairtie does, after their debeating against the 4th artickle, which is the communication of trade; and this they did to-day in the House. But before that when wee proposed to goe upon the 4th artickle the Duke of Atholl offer'd a clause to be aded to the 3d which wee had voted yesterday. It was that the Parliament of Great Brittane shou'd sitt once everie three year within that place of Brittane now call'd Scotland. Ther was a good deale said to this, but wee declined speaking to the subject matter of it as not comeing in properlie into this place, and that if anything was proper to be said or done of that kind it ought to come in when the Parliament cam upon the 22d artickle, which is about the constitutione of the Parliament. After some debeat it was lett fall at this tim and markt to be spoke to when wee com to the 22d artickle. Then the 4th artickle was read and spoke against by Fletcher and some others of them. Some of us spoke for it and others were goeing to speak, but wee saw that the more this artickle was spoke to the better, for wee wou'd run doun the opposite upon it; so wee resolved to speak to it fullie, which cou'd not have been done this day unless wee had run ourselves into candle light, which is inconvenient. So the Chancellor proposed that the debeat shou'd be adjourned till next sederunt, which was done, and then the Parliament was adjourned till Thursday. The Commissioner was forced not to sitt the morrow, that the Justice Court might have time to dispatch some things that's before them, which keeps a great maney people attending here in toun, which is inconvenient at this time that wee have more companie than wee desire.

Wee long for an ansuer to the memoriall, and pray God it may be a satisfieing one, else I confess I would be affraid of our success. But I hope I need not be in pain about that. As for counter-addreses, we thought it better to lett them allone, for it is past time to gett verie maney, and few wou'd look worss than non. As to our faster proceedings, if you were here you would think it odd wee cou'd proceed so fast; but in tim comeing unless wee be supported, and that effectivlie too and verie soon, you need not expect that wee'l gett leave to proceed so fast. But that shall not feall att our door, for wee are to farr to look back; and tho' we were shure to die att the end of it, some of us will stick

to it to the last and take our fait. I'm not verie timerous and yet I tell you that every day here wee are in hazard of our lives, Wee cannot goe on the streets but wee are insulted, as I and some others were just now. But the affair shall not stick att us. I hope the Queen will look to it in time. I'll ansuer your other letter by the nixt, so adieu.

I send you Balhaven's 2d speech, or more properly the Duke of Hamilton's and the Marquis of Annandale's. Since wryting of what's within I supt att the Chancellor's with Balhaven, where he was baited so till even I was sorie for him. However, all was taken in good pairt. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 21. Whitehall.—By the ordinary pacquet yeasterday I had your Lordships of the 14th, and at night that of the 16th by a flying pacquett. What concerned the proceedings in Parliament I read to the Queen, which she was mightyly pleased with, and took particular notice of the Marquis of Annandales turne. God knows what he designs by it, but his voteing makes us long for ane other trying vote. I can say very litle on particulars, for since I read the pacquetts I could not see my Lord Treasurer but a minute this morning in the croude, and he appointed me twice to see him this day, but fealed; and I have stayd soe late that had I much to say I could not doe it. I finde your Lordship desirs some things about trade and taxes to be explaind now rather then referr it to a Brittish Parliament. I can not understand how that can be, for tho' I doe declaire I think the Court and other Lords most sincere and hearty, yet I know not what they doe. For if you make explanations and pass the Act provisionally its thought will unhinge the whole. Besids, considder the advantage the opposers will get if you yeald to any one that you think reasonable. They will make it a handle and launch out to innumerable particulars. I dare say ther is noething desired within the power of people here to satisfy evrie body there that are friends to the Union but what they will doe. All people here show a greater fondness of it then ever. My Lord Malborrow made speeches to me this morning on the subject before all the company. There is just now very late a letter come from my Lord Treasurer to the Chancellor.

The Earl of Mar to Sir David Nairne.

1706, November 21. Edinburgh.—To-day after the Parliament the Commissioner carried me down to the Abbie to meet with some people to consider the ansuer to the memoriall, which cam by the flyeing packquet. I knew it would be lait before I cam home, so I desired my brother James to give you an account of what had past in the Houss to-day, which I hope he has done. But ther's a flyeing packquet designed to be sent the morrow, and I shall wryt by it if any thing be needfull to be said more than will be in the memoriall, which is to be sent. I perceave

by this night's meeting that it will take more tim to adjust that memoriall fully than to-morrow, so I reckon it can not be sent of as soon as is designed. In ansuer to our last memoriall, ther's much said as to what the Parliament of Great Brittan wou'd do, and that it's too narrow a thought to doubt it; but that is not the language of this place just now, and one wou'd be staired att if they said so in the Houss. For the British Parliament is what frights most of our Scotish members that wee are forced to manage; so for God's sake sett this matter in a true light when the memoriall comes. For that ther is a necessitie (considering our temper) to explain some things is evident, though they be hott reallie to our advantage, else I'm affraid the whole affair will faill, by which you may immagine how made people here are.

I had B[elhaven]'s letter to-day by the common pacquet, and seald the cover and took cair to have it delivered, tho' not as coming from me. I wish it may have good effects.

Annandale has now pulled of the mask intirelie, as you will know by his actings thir tuo dayes bypast. His onlie companie is the Jacobites of the opposeing pairtie. The Register carried me to-night to a taverne as I cam from the Abbie, and after wee had drunk a botle of wine wee were comeing away, and att the door wee mett with some of that sett who had been with Annandale to-night and last night too. They were verie drunk and wou'd have us turne in again to drink one botle, which wee were forced to doe. They regraited to us that wee had forced them to take up even with Annandale, so wee might judge whither or not they were hard putt to it when they took up with him, who all the wheile they were rediculeing.

Fletcher was so angrie to-night when he saw the artickle of communication of trade caryeing in the Houss that he run out of it; but since they voted against this artickle you can be surprysed at nothing afterwards.

The 5th artickle was not fully understood in the House, so wee choised to put it of till nixt sederunt. I see we will be forced to alter that pairt of the artickle from the signeing the Treatie to it's being ratified here, I can say no more now it's so lait, so adieu. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 23.—I have herewith sent a paper to be printed there which may take with many, and the title and way of speaking will, I suppose, make more people read them. The sooner it is published the better. I have sent with it a few words that may be added as is directed, but I had not time to get it wrote over again. I hope you will send five or six coppys when printed. The smaller the price the better. Some body must be imployd who understands the press for pointing it right and spelling. It needs not be knowen from whence it came. Our countriemen were goeing on with their address, but some started as if the Parliament here wold not take it well to

have people resideing here petitioning or addressing the Parliament there. I was imployd to speak to my Lord Treasurer about it. He did not apprehend any ill effects it might have here if the thing went well, but he thought such a thing comeing from hence might irritat the discontented there and give them a handle to say wee are all corrupted here and put upon it either by the Court or the people, who always consider there oune advantage and our ruin. So it is laid aside.

The Earl of Mar to Sir David Nairne.

1706, November 23. Edinburgh.—I wrote to you last post that there was a flyeing pacquet to be sent with a reply to the answer to the memoriall sent from this some time ago; but that reply not being yet ready the Comissioner thought fit to send the flying pacquet without it. There has been severall meetings about this reply, not only of the Queen's servants but others who go along with us in the affair of the Union. And first as to the Excise, they are perswaded that as is agreed by the Treaty is most for the interrest of Scotland, which they did not alltogether think before; yet we are all convinced that there will be a necessity of making some explanation or allteration of that artickle, else we are affraid that it will not pass in Parliament. And much the same as to the rest of the articles mentioned in the memoriall. Tho' the new memoriall had been ready to send to-day, we wou'd have been at those articles wherein there are explanations or alterations desired before we could possibly have had a return; and if we shou'd now make a stop we need not think to begin this affair again. So there's a necessity of going on, and we shall endeavour in all the articles to keep as near the Treaty as possible. But our people here, even those who have hitherto gone along with us, are so skittish and have advanced so far on amendments to be made that we have litle hope of carrying the Treaty without alterations, of which you wou'd inform her Majesty, the Treasurer, and others concern'd, for if there can be no alterations made, the sooner it be thought of what course is to be taken next the better. I hope the new memoriall will be ready to be sent on Munday or Teusday morning at furthest, but this may prepare you against it come, and when it comes I hope any explanation or alteration of the articles that are desired shall not be thought inconsistent with the Treaty, or particularly to alter the foundation of the equivalent.

To-day in Parliament the debate was again renew'd that we were on t'other day about the fifth article. We were forced to consent to alter that part of it from the signing of the Treaty to its being ratifyed in the Parliament here; this carry'd, and Lord Belhaven's clause making it from the Treaty's being ratify'd in the Parliament of England and six months thereafter, was rejected. Then the Duke of Hamilton offered a clause to be added freeing Scotland from the press of seamen for seven years after the Union. This was debated a long time, and at

last rejected by a great plurality. Then the rest of the clause was voted and aproven. You'll know the story of this day more particularly by the Register's letter and the scroll of the minuts he sends you. Now here's ane alteration, and yet I hope it will not be thought a materiall one, or inconsistent with the Treaty. Perhaps the rest may be so too (tho' I can not warrand they will) therefor I hope there is not so much to be fear'd from the allterations as some people apprehend. I do indeed wish there were to be none, and I think Scotland would be fully as safe; but since it will not probably carry so, in my humble opinion it's better to go on and endeavour to keep the alterations or explanations which are desired and will allmost certainly carry moderate and reasonable, than to give it over at this time, which if we do the Lord knows if ever the Parliament will meet again so well inclined towards the Union as it is now, tho' the generality of the country may be in a better temper, and that is not certain either, if it be not finished at this time. You may let the Queen know this, but what I have said is with all submission, and as I wish well to her service; but if her Majesty think otherways I am to obey her commands. . . . . I leave it to others to give you account of what has happened at Dumfries, which I do not value very much because those people were used of old to such doeings. They are mad men, and allways were so, and are thought so by every body. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 26. Whitehall.—Your Lordship's of the 19th brought account of the proceedings that day and the day befor. It is very unaccountable the opposeing of the 4th article, but as your Lordship observes noething is to be wondered at that the opposers doe to obstruct the designe. I hope it is now over and well, otherwayes I might have expected to know otherways by a flying pacquett. The Queen is extreamly concerned about the mob, and fully convinced of her servants' zeall and fidelity for the measure she has proposed. She only wants to know in what manner it is fitt or necessary to let the kingdom know the satisfaction she has with her servants and her resolutions to encurage and support them. I must also say my Lord Treasurer and all about the Court are of the same minde, and the noble Lords whom you are in friendship with are perfectly uneasy because it is not in there power to give the satisfaction to the friends of the Union there they wish to doe. The Earl of Sunderland, Lord Haly and Lord Sommers are at a great dale of pains. They have had severall meetings with Parliament men, and all agree to make additions to or explanations of the articles will lose the whole, yet they are convinced of the reasonableness of the demand in the circumstances the countrie is in at present. The whole stress or scope of what is desired is about the salt, excise on ale, premiums on export of victuall and drawbacks on goods

exported. All these doe lessen or augment the customes or excise, and which of either or how much noe man can make ane estimate; but any of them will alter the whole equivalent, and the incress or decress not being knowen it will be impossible to calculat ane equivalent. And that being the point which it's thought will goe worst doun here, it's dangerous to give a handle. The duty on salt, you know, is not to comence for seven years, nor then unless thought fit by a Parliament of Brittain; and it is so grivous here, especially to those who are friends of the Union, that they doubt not but to have it quite taken off befor the time of commencement. The excise, if allowed that 2de ale shall be as small beer, then I suppose it will be noe hardship; all which it's hoped will be urged to ease people and satisfy them. But if all will not doe, it's thought that rather than alter or inovate the articles by explanations or additions that you pass them with ane address to the Queen, as was done at the passing the Act for Treaty. I doe not mean that the Treaty should be null if what is presently desired shou'd not be granted, but setting forth the necessity of haveing these things adjusted, and that she will use her endeavours to have it done either in the Parliament of England befor the Treaty or in a Parliament of Brittain. This proposall and a letter from the Queen to the Commissioner is the occasion of this pacquett. The severall Lords I have named have wrote to there friends they correspond with on the subject, and I write at there desire to as many as I am able, therefor shall add noe more to your Lordship, but," &c.

The Earl of Mar to Sir David Nairne.

1706, November 26.—By mine of the 23d you are expecting a flying pacquett, I know, with a reply to the answer to the memorial from this about the excise, etc. Before we cou'd form the new memoriall there was a necessity for going throw those articles by ourselves wherein we understood that amendments or explanations were expected, and to form such explanations as we thought wou'd satisfy. When this was done and the explanations form'd we found it was not ane easy matter, and the more we reasoned upon them the more we were convinced that the articles were right. But notwithstanding of this we have good reason to believe that the articles as they stand in the Treaty will not pass in the House without some explanations or allterations. The temper of the House is so odd and so uncertain that we are not sure what turn things may take in it upon any of the points that's desired to be explain'd, or whether arguing upon those explanations in most of the cases may not fortify the articles as they stand and make people better satisfy'd with them; so it is almost impossible to form a memoriall upon them. Tho' there had been a memoriall sent, we wou'd have been at those articles before we possibly cou'd have had a return. We are all of opinion that there's no making of a stop to our proceedings now but by indangering

the wholle, so we must certainly go on, and by this all the use the memoriall would have been for was to let our conjectures be known what explanations or alterations we expected to be made, tho' without any certainty, and this we thought wou'd serve for nothing since we cou'd not have a return before those explanations or allterations were made. Upon all which we thought as a memoriall upon this wou'd be allmost impossible to be made to any purpose, so it wou'd be to no effect, which made us give over thoughts of it at this time, and to write in place of it that those who join with the Queen's servants are convinced with them that the fewer explanations or allterations that are made to the articles the better, but that we are all perswaded that there will be a necessity to make some to satisfy people and make the grand affair carry. So a general rule is laid down amongst us to make as few allterations as possible, and where they are inevitable to keep them as reasonable and as near the Treaty as we can; by which I hope the Queen and those concerned in England need not be much affraid of the explanations or allterations that will be made. One thing we are particularly to guard against, that any allterations do not alter the foundation on which the equivalent was calculated.

I hope thirr things considered will give satisfaction and be a sufficient excuse for no memoriall being sent. As I wrote last, if the Queen and those her Majesty advises with there think that this is not to be hazarded, and that there must be no allterations nor explanations of the articles, then the sooner her Majesty orders us to be adjourned the better, for there can be no promise given that the affair can be carry'd without them. I confess I wou'd be sorry if the Queen took this last resolution, for I hope there is not great danger in any allterations or explanations that will be made, and if we are adjourned all that has been done at this time wou'd be lost. For tho' it came afterwards to be layed before the Parliament here, evry article behoved to be voted anew. And I doubt much if it be delayed or given over at this time if ever our Parliament will meet again so well inclined to the Union, tho' perhaps the humor of the populace may be lessened, and that is not certain either. Therefor as a faithfull servant to her Majesty and a lover of Britain I wish that the other method may be approved of and the explanations or allterations ventured upon, which all those who are friends to the Union firmly resolve to make as few as possible. Therefor I am hopefull any that are made will not be inconsistent with the Treaty, but this with all submission. I saw yours by the last post to my Lord Montrose, wherein you say that people with you think not much of the mobs here because we seem to undervalue them. It is true we do, for their threats should never make ane honest man allter his opinion or desist from doing what he thinks for his Queen and country's service; but this should not go so far as to quite neglect them and not use a reasonable precaution. The troops we have here are very few and weak corps, so if there were any commotion in the country they wou'd be of litle use for

suppressing it, for they are scarcely sufficient to guard this place. The mobs are very far from being over, or the industry and pains that is taken to stir them up. At Glasgow they are threatning to raise contributions, and 'tis a hundred to one but they put it in execution. If they do so there or any place else, or any other kind of insolence, what can the Government do, since they have no force to support their authority? We are threatned evry day that we shall be murdered, but not only that but that several thousands are coming to town armed who will force the Parliament to give over this affair. In several places of the country there are musters and rendezvouses, particularly in the south and west, and the Duke of Atholl's country. The ministers throw most parts of the country are preaching against the Union, and some of them preach litle less to their people than to arms. So altho' we go on in our business and are not frightened with their threats, yet those things are not to be despised and neglected. I wrote to you some posts ago how necessary it was that the Queen should order as many of her troops as possibly cou'd be spar'd in the North of England and Ireland to be ready in case there was occasion for them here. I'm still the more of that opinion, and so are all the Queen's servants here and those who join with them in carrying on this great affair; therefor you wou'd lay it before the Queen, the Treasurer, and Duke of Marleborough, and I doubt not but her Majesty will give the necessary orders about it, and the sooner we have account of it the better. I suppose it will be thought fit that those troops be ordered to obey such commands as they shall receive from the Commissioner, the Privy Council, or the Commander-in-Chief here, as to their marching into this country if necessity require it; for if it shou'd be delay'd untill the information go from this to the Queen and then orders be sent to them, the occasion may be losst and things ruin'd by the delay. If the Commissioner get from company to-night in time, I believe he's to write to the Duke of Marleborough much to this effect, so I do not trouble his Grace nor the Treasurer at this time with letters from me, but if it be needfull you may show their Lordships this; and I know all the Queen's servants here are of the same opinion with me in thirr affairs.

To-day in the House we proceeded on the 6th Article, and after some reasoning some explanations or amendments were offered, as you'll see by the Register's and the scroll of the minutes he sends you. Then it growing late the debate was adjourned, and to be reasumed first of anything next sederunt, which is to-morrow. If anything materiall be done to-morrow either I or my brother shall write to you by the common post. This going by a flying pacquet I hope it will be soon with you . . . . . After I had seal'd the cover of Beilhaven's letter to Pankaitland and caused deliver it, I wou'd gladly have known how his Lordship took it. I cou'd not appear in this myself, so I put Roxburgh on it. After Bel[haven] had one day made a violent speech against us in the House says

Roxburgh to him, what do you mean by this Bel[haven], for you loss evry body? I know, continues he, that you write to the Treasurer, and had yesterday a letter from him by which you wou'd find him not well pleased with you. Who told you that, says Bel[haven]; and after speaking some more of it, upon my word of honour I had no letter from the Treasurer, says he. Roxburgh told me this, and after I had assur'd him that he had got it he told him again of it next day, but he still deny'd it. This made me a litle suspicious, for I could hardly think even Bel[haven] himself would be so impudent; so to-day I ordered the letter carryer who had given the letter to Pankaitland to go to him and tell that he had a letter by this post from his correspondent desireing to know if he had delivered the letter to Pankaitland, and because there was a letter inclosed to inquire if he had delivered it. When he askt him this, says he I'll give you no answer to that, but you may tell your correspondent that you delivered the letter into my own hand. By which you may see Bel[haven] has certainly got the letter tho' he denys it. You may let the Treasurer know this story. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, November 26.—You bid me not to write to any body of what was desired of my Lord Treasurer by the joint letter, yet I cannot help telling your Lordship that the affaire was finished this day and I write of it this post to the Earl of Glasgow. But it's good you know it both for your own sake and mine. The troops on the Boarders are three regiaments of foot, and in the North of Ireland, three of horse, one of foot, and one of dragoons, and they have the necessary orders; but all relateing to this affaire must be kept very private.

The Earl of Mar to Sir David Nairne.

1706, November 28. Edinburgh.—Yesterday in Parliament the House proceeded on the 6th article and it was remitted to the committy as you'll know by the minutes which the Register sends you. Most of our own people thought this the best way to satisfy people who are inclin'd to the Union, and the easyest way to get it passt. There was a vote whether to add any to the committy or not. Severals of our own people had by accident gone out of the House at the time, and the members of the committy did not vote, so it carry'd by two votes to add. Tho' this was a trifle, yet we were vext it went so, because it is the first vote we lost. After that the opposers proposed that the number to be added shou'd be four, and we two, so the vote was put, and two carry'd by a good plurality. To-day we chused the new members of the committy, who are pretty right in all the three estates, for they are all of our people except Minto, and we cannot say that he is allways against us. The two noblemen that the opposers voted for were Annandale and Buchan; but Haddinton and Cromarty who we were for carry'd

by a vast plurality. After this the House took the 7th article about excises under consideration. The excise on ale and beer was only spoke to. It was plainly made appear that as the article made it Scotland wou'd be easyer than at present; but people wou'd have ane explanation as to our twopenny ale, so we were forced to comply with it. One explaining clause was given in that notwithstanding of this article the ale in Scotland retail'd at 2d. per Scots pint shou'd pay no dearer excise than it now pays; but you will understand it better by the clause itself, which the Register sends you. Lord Beilhaven offered another, which the Register sends you too, declareing the ale in Scotland to pay for ever but small beer excise. The debate run which of thirr two clauses was most reasonable and shou'd be added. It is needless to tell you the reasoning, for to people that will hear reason there needed no arguing on it. It was put to the vote, and the article in relation to ale and beer was approven, with the explanation which was first given in, by 33 of plurality. Then we were adjourned till to-morrow, and then I doubt not but the whole article will be easyly approven. I hope this addition to the article will not be thought of consequence there, for it does not alter the foundation of the equivalent, and notwithstanding of it Scotland will probably very quickly after the Union come into the same method of excises with England, for it is plainly their interrest, and in the meantime England receives no hurt nor damnage by it. It will only make a third denomination of excise here, but the excise here will certainly be uplifted by agreements with the brewers as is done throw the most of England. This explanation will please the country here extreamly, and it was impossible for us to carry this article without it, tho' it was really better for Scotland as it stood in the Treaty; upon all which I hope there will be no umbrage taken at it in England.

I leave to my Lord Montrose to give you ane account of what passt in the meeting of the African Company, since he was present, so certainly can tell it better than I. They losst the vote by one, but 'tis of litle consequence.

The Councill are to issue out a proclamation for Glasgow as they did here against the mob, which we hope will prevent any more disturbance from that place.

We have evry day informations of rendezvousing in several places of the country, and of there being a place of general rendezvous agreed on amongst them near this town. We have got some accounts of this kind to-day which look to be but too well grounded. Mr. Wylie, the minister of Hamilton, appointed the people to meet out of the pulpit, and actually met with them at the place apointed, where the other minister of the place offered to be their captain. Mr. Wylie rebukt them for not being a more numerous meeting, and appointed ane other day to meet again. We have pretty good intelligence that those people who met at Dumfries resolve very soon to pay us a visite here, and some say the people in Annandale and other

places. Perhaps thirr informations may prove only braggs, yet we think it fit to do something in time to prevent them, therefor we are thinking to lay it before the Parliament and to get the Parliament to issue out a proclamation against such meetings. Perhaps this may be before the House to-morrow, which if it be you shall hear of it by next post. This is for prevention, but if it have no effect, and those people notwithstanding come towards this place, we must make the best appearance against them with the troops here that we can; which I'm affraid wou'd be but indifferent, for they are but very few. And considering the temper of the nation, 'tis hard to say how the troops wou'd behave when they are so few, unless they were sure of more force to support them soon, by which you may see whether or not I had reason for what I wrote last. . . . . My Lord Northesk has all this Parliament behaved very well. He is Sherief of Angus, and wou'd gladly have it for his own life and his son's. The Comissioner desir'd me to write of it to you that you may lay it before the Queen. He thinks to get Northesk pleased with it for his own life only, but he wished that the Queen wou'd sign two commissions, one for his own life and ane other for his own life and his son's David, Lord Ethie, that in case he cannot be pleased with the one he may have the other. He's a very pretty honest fellow, and this will show in that country that the Queen favours those who go into the measure of the Union, which few of the peers of that country do; and 'tis obliging him without taking anything out of the Queen's pocket, so I hope her Majesty will think it reasonable, and there's a great many who have had such favours before.

I wrote to you last of Annandale's protest. I have now sent you a copy of it, and that it may be fully, perfectly and rightly understood as it deserves, I hope it will be printed from the inclosed copy and call'd about the streets at London; for it is reasonable and fit to do his Lordship justice, and that his care of his country, the lasting peace of the island, and his firmeness to his principles and the Queen's service, be fully known. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, November 30. Edinburgh.—By mine of the 28th you wou'd know that we were to represent to the Parliament the accounts the Comissioner and others had got concerning people's rendezvousing in severall places of the country, and in some places commiting irregularitys, and of the design that was talkt about of their coming here in arms. Yesterday morning the Comissioner call'd the Councill and laid thirr affairs before them. The Councill were unanimous of opinion that the Chancellor by the Comissioner's and Councill's order shou'd represent it to the Parliament that same day, and they doubted not but the Parliament wou'd order a proclamation against those disorders and rendezvousing. So there was the

draught of a proclamation order'd to be in readyness to be offered to the House to that effect, after the Chancellor had represented the affair. As soon as the Parliament met the Chancellor represented the case, as you'll see by the minutes, and after some time the Commissioner spoke to the House. The draught of the proclamation was offered and read. There was a clause in it in effect suspending during the siting of this session of Parliament that clause in the Act of Security allowing of musters and rendezvousing. This was spoke to a long time, and at last the vote was going to be put Approve the proclamation or not, and the Duke of Atholl offered a protest against it, but it was proposed that what related to the Act of Security should be left out of the proclamation, and if that clause of the Act was to be suspended that it shou'd be done by ane Act which might get a first reading that night and a second next sederunt. This the opposers went all into, for they thought we were so fond of the proclamation as it stood that we wou'd not alter it. I believe indeed we had voted the proclamation as it was, but my Lord Tweedale grew a litle scrupulous, so we consented to the allteration proposed; whereupon the proclamation was voted with the allteration, and immediately thereafter there was a first reading given to ane Act suspending that clause of the Act of Security. In this the opposers were catched. The names as we voted for the proclamation were ordered to be markt and printed, which the Register certainly sends you, by which you'll see but four against the proclamation. A great many of the opposers did not vote tho' in the House, and some were absent. Lord Fountainhall made a new speech in praise of mobs, and instanced severall good things which they had done, tho' I confess he found a new name for the mob, and called it the genius of the nation. Most of the opposers lessened all the mobing that has been at this time, and all pretended not to allow of it, but why should not people muster, say they? The Parliament was adjourned to this day at ten o'clock. Before we met we had accounts from Glasgow that the rable army had marcht from that towards this place yesterday morning, consisting of a very considerable number indeed, which was 49 and a drum, but they gave out that they were to be join'd by greater numbers by the way. This account you may think did not fright us much; however it made the suspending of that clause in the Act of Security the more reasonable and necessary. So when the House met to-day we went upon that Act which got a first reading last night, and after some speaking to it it was voted and approven. Then the Comissioner toucht it with the scepter. It was carry'd by a great plurality, but severals of the top opposers both spoke and voted against it. It and the proclamation were immediately proclaimed, and are to be sent throw the kingdom. The Duke of Hamilton was not in the House to-day. He was taken ill last night about ten a'clock, as Selkirk told me to-day, with such a fit as he had last. He says it tends to a palsy; it seized on one of his eyes and the roots of his tongue, which makes it very difficult for him to speak. He

still continues ill. After this suspending Act passt, the Duke of Argyle proposed that the ministers in all the churches throwout the kingdom should be ordered to read from the pulpits the proclamation and the Act, and he was seconded in it by severalls; but many of our friends were against it, thinking it might occasion more trouble, for some of the ministers would not read them notwithstanding, and some durst not in those places where the commotions had been; and beside they thought people might make a pretence that untill it was read so it was not promulgated, and by that might plead not to be certiorated of it and so not binding upon them. My Lord Montrose, Hyndford, Marchmont, the Justice Clerck, and several others were of this opinion; so we did not press it, and it was let fall. Upon which the Duke is very angry at us all; but I hope that will not last long. Some body has taken the liberty to print the declaration that was affixt on the cross of Dumfries when those people burnt the articles; upon which his Grace took occasion to complain of it in the House and proposed that the paper shou'd be burnt by the hand of the hangman. He was seconded by all the Queen's servants and several others, and it was ordered accordingly to be inquired into who printed it and who gave it to the press. After this the rest of the 7th article was voted and approven, and the 8th article remitted to the committy. Then ane Act adjourning the Session for a month got a first reading, and then we were adjourned till Tuesday. There are some troops sent towards Lithgow to meet those people from Glasgow; but I fancy that great army will not come that length unless they be joyn'd by more force. You will know the event of this by the next post. There is a story spread about thirr two days that King James (as they call him) is to land immediately in some place of the Highlands with no men but about 200 officers and mony, and that he will be join'd by a great many of this kingdom. They give out too that he has turn'd Protestant, and offers not only to establish and confirm Presbitry, but the Solemn League and Covenant. This story has frightned some and as I'm told gain'd others, and even of the Presbiterians. I confess I can hardly believe that he wou'd venture his person; but 'tis known with you that there was a proposall made from this at St. Germains for his coming over here at this time, so I thought it fit to write you this story. I'm hopefull the methods the Parliament has taken will prevent any more trouble in this country, at least that it will keep any body of interrest from heading those mad people. But it is not nevertheless to be slighted, for there are people enough here abundantly mad to do anything, and they give out that there are not forces sufficient in England to suppress any commotion here; but I hope the Queen will quickly let them know the contrary. I'm very hopefull that now nothing can keep the Grand Affair from carrying, but some open rebellion or villany, and I hope the Queen is able to prevent that or very soon to suppress it. I'm confident her servants here and those who join with them will

go on vigorously and stedfastly, and we doubt not of support from her Majesty. I wish a good session of Parliament in England, and notwithstaning of all the spitter here, I hope there will be a happy conclusion to this great affair.

The Commissioner has just now sent me word that he's to send a flying pacquet to-morrow, which makes me keep this to send by it. I write nothing by the common post to-night, for they are beginning to intercept letters, as they did a man of the Duke of Argyle's some days ago. I have sent you two new papers against Beilhaven, and against next post I believe I shall send you ane other. The press here gets good employment now. *Copy.*

THE EARL OF MAR to the LORD TREASURER.

1706, December 2. Edinburgh.—I doubt not but the Commissioner and the Chancellour have written fully to your Lordship by this express how affairs stand here at present, and answer'd what your Lordship wrote concerning the allterations or explanations of the articles; so that I will not give you the trouble of saying anything about it in particular, since it wou'd only be repeating what they have said. Only in generall, your Lordship may be sure since it was impossible to prevent explanations the Queen's servants and those join'd with them will do what possibly they can to prevent their being inconsistent with the Treaty, or that they shou'd alter the foundation on which the equivalent was callculated; and allso that there may not be a necessity of bringing the Treaty back to a Scot's Parliament and to make all dispatch that's possible so that the Treaty may be ratify'd in this session of the English Parliament too, all which I hope we will be able to do. It was thought fit that some of us shou'd write to the English treaters and other friends to the Union, so I have written fully to my Lord Hallifax, which if your Lordship have time you will see. But I will not trouble you with repeating it, others having wrote to you on that subject much better than I can. I hope this affair will come to a happy conclusion; but if it shou'd faill I'm sure all the world must own that your Lordship has done what possibly you cou'd to make it succeed. I'm hopefull that by the methods the Government and the Parliament have taken the commotions in some places of this country that we were affraid of are prevented, and the noise of them and dislike to the Union will quickly be over.

The Queen has indeed done all that cou'd be desired for the support of her servants, and I hope they will continue to act faithfully and firmly for her Majesty's service in everything, and particularly to bring this great affair of the Union to a happy and speedy conclusion here, in spite of the opposition they meet with. *Copy.*

THE EARL OF MAR to LORD HALIFAX.

1706, December 2. Edinburgh.—I wou'd have done myself the honour to have written to your Lordship e'er now had it not

been to save you of trouble. I wrote fully to Sir D[avid] Nairne from time to time and desir'd him to communicate it to your Lordship when there was anything worth your whille. I have seen some letters to-day from my Lord Treasurer and some of your Lordship's friends to the Commissioner and some others here. My concern for the success of the great affair we are upon, and to give your Lordship a clear view of the circumstances of it here, is the occasion of my giveing you this trouble.

When the Queen's servants came down here, both in the Parliament and elsewhere we allways spoke as if none of the articles were to be altered in the least; but in a litle time when several people join'd us and told they wou'd be for the measure, yet they told plainly they behoved to explain some of the articles or make some small allterations. After this we were oblidg'd to speak less of not altering or explaining the articles, but that if once the Parliament came at them we would endeavour to show that there were no occasion of explanations or allterations. Many of the Presbyterians and especially the ministers having join'd with the Jacobites against the Union made so great a party against the measure that we were oblidg'd to take all the ways possibly we cou'd to satisfy people, so we cou'd not speak so positively against explanations, as we wisht or design'd to carry the Treaty in Parliament. The clergy preacht at last allmost evrywhere against the Union, and other opposers misrepresented it all they could, and both rais'd such jealousys about it as to evry article, but especially the dear excises and heavy taxes, and the partiality that the Parliament of Brittain wou'd show to England in opposition to Scotland, that the wholle populace and many of the gentrie too turn'd violent against the measure. We still retain'd a plurality in Parliament for it (which I confess was a wonder), but many of the Parliament men, even those who were sincere for the affair, positively resolv'd to make some explanations to satisfy the generality of the country. This we were very sorry for, but cou'd not help it. If the Parliament had been adjourn'd we were all convinced it wou'd never have met again so favourably dispos'd towards the Union, tho' the generality of the country should chance to be better inclin'd; so upon good reason we concluded that ane adjournment was equall to giving over the measure, which made us chuse to go on and send up a memorial concerning snch things as we apprehended might be altered or explained. When the answer to the memoriall came back here we were come at those articles, and notwithstanding of the answer, people who were join'd with us, and I really believe sincere for the measure, persisted in their opinion that there was a necessity of some explanations. We wou'd gladly have disswaded them, but to no purpose, tho' by this time they were come to our oppinion that as the articles stood it was better for Scotland. But notwithstanding of this we found it was impossible to carry it in Parliament without explanations. It was impossible on the other hand to wait untill we had ane other return from London; so we

cou'd do nothing but go on, and those join'd with us engadg'd to assist us in keeping the explanations or allterations from any extravagancy, but as near to the Treaty as possible; and they have done so yet accordingly, so I hope we have been more afraid than we will be hurt. The first of those articles was the excise, which is now over. I wrote to Sir D[avid] Nairne as to this, which I hope has given to your Lordship and others satisfaction. The explanation makes the ale retail'd here at 2d. per Scots pint, which is about two English quarts, to be lyable for no more excise than it pays at present. Without this explanation, by manadgement as is used in England it had certainly fallen under the small beer excise, which is much cheaper; so we have only hurt ourselves and not England The foundation of the Equivalent as to the excise was calculated as the excise is presently, so this explanation does not alter that. All the difference is this, that if England will not allow that species of ale to pass for small beer, which is not really so good as the small beer in England, then there must be a 3d. denomination of excise for it; but in a litle time when jealousys here are over I really believe our people will be desireous of coming into the excises exactly as they are in England, since 'tis certainly evidently for the interrest of Scotland. I wish indeed there had been no explanation on this article, as I wish in all the rest, but it was not in our power to help it, for if we had not comply'd with it the wholle had either been rejected or made worse. The next is the premium for oatmeal exported. This and other premiums are only askt when premiums are allow'd in England, so if they be taken off there they fall here of consequence. There's no satisfying without this; but I hope if it be rightly considered it give no offence or umbrage, for it will not come to a very considerable thing, so will diminish the customes but a very litle. The foundation of the Equivalent as to the customs was calculated as they are just now too, which is 30,000 libs. Now suppose our trade not to encrease after the Union (which is hardly to be imagin'd) yet the customs being regulated as in England will amount to a much greater summe; so the foundation of the Equivalent there does not fall either. It will hold so too tho' there were premiums on other commoditys as some people crave. It would allso be considered that whatever the customs encrease here after the Union for seven years is to belong to Scotland; so whatever these premiums take off the customs diminishes only what Scotland was to have however, since the prime stock of the 30,000 libs. will still stand good by the encrease of the dutys. This considered, and that it is not to be a perpetuall stipulation but only when England has premiums, I hope it will not be thought inconsistent with the Treaty. Oat meal and grotts, which is liker to the English oat meal, will be one of the commoditys which will be most exported from this country to the West Indies after the Union, by which there will be less of it to be transported elsewhere, and consequently the less of premiums to be pay'd. I'm credibly inform'd that the premiums on this commodity will not amount to above 2,000 libs.

in the most plentyfull years, and often not near so much. As to the salt, I can not yet say much, for that article is committed to examine and consider the proposals about it. The members of that committy are all but one or two at most very well inclin'd, so I hope they will bring it right back to the Parliament. By the Treaty all fish and flesh that is shipt from Scotland is to be salted with forreign salt only during the seven years for which Scotland is to be exempted from the dutys on Scots salt made use of at home. This makes merchants and seamen here complean, for they say for short voyages Scots or English salt is more proper, and salting with forreign salt for those uses will be a great loss to them; so I believe they will be rather content to do it with English salt and pay the English duty. That Scotland and England must pay equall dutys on salt is most certain, so your Lordship and others may be sure that we shall guard against any explanations of this article that may be inconsistent with the Treaty. But I cannot be more particular on this untill we see what turn it is like to take before the comitty. It is thought the drawbacks on white herrings in England is too small and not proportionable to the drawbacks on other fishes, and that the drawbacks on white herrings does not amount to the duty on the salt with which they are cured. This seems to be unreasonable, and there's no doubt but the Parliament of Britain wou'd rectify it, that being so great a subject of trade that it deserves all encouradgment; so that all the treaters and a great many others cou'd with confidence trust to the Parliament of Britain; but people's jealousy here is so great that I'm affraid they will be positive to have it explain'd here. And if they do I hope England will not take exception at it, since 'tis a thing the Parliament of Britain wou'd certainly do, and it will be the interrest of the wholle island as well as of this country. As to the malt, people here are extreamly affraid of it, and I know they will be mighty earnest to be sure that it shall not be imposed on them dureing this war, which I and others hope is a groundless fear, but they will insist on it, tho' I'm hopefull we will be able to get this done by ane address to her Majesty, and allso any objection they have to the duty on salt after the seven years for which Scotland is exempted. We had it under consideration to make all the explanations or allterations by way of address, but found it impracticable as to the other points.

This, my Lord, is all that occurs to me just now as to the particulars desired to be explain'd; and after your Lordship and other friends have considered them again I hope ye will not be so affraid of anything that is desired or design'd here to be explain'd or altered. I wish with all my heart that the Treaty cou'd have been ratify'd here without altering or explaining a letter of it, for many reasons, but it was impracticable. For tho' the plurality of the Parliament be for the measure in general yet by the humor that is raised in the country against it by the clergy and others they are so scrupulous on evry article and so desireous to do something to satisfy the country that we have

difficulty to make them go along as they have done. And besides this the opposers make such a noise against the Treaty as it is, and are so united in anything that may break it, that our difficultys may be seen to be very great. And yet I hope we shall bring this affair to a happy conclusion, which is more than we expected when we came from London; as we told then if the Jacobites and Presbyterians join'd against it, which they have since done, at least most of the clergy and many others, to that degree that the country is in a mighty ferment against it and in many places ready to rise in rebellion; but all that ferment will now I hope go quickly over. I doubt not but there will be difficultys in the English Parliament too and people there desireous to break the measure, but I hope there's a plurality of reasonable men in it that will be able to carry it throw and keep it from coming back to a Scots Parliament, which indeed I would be sorry if it did. Against the Parliament of England has finisht the supplys and other necessary business, I hope the Treaty will be ratify'd here and ready to lay before them in such time that this same session may have time to ratify it too in England. Your Lordship and other friends may be assured that we shall make all the dispatch that possibly we can. A happy conclusion to this affair is the thing in the world I'm most concerned about, and I hope your Lordships who have laboured so much to bring it to perfection shall not be disapointed of your design. I'm ashamed of the trouble I have given your Lordship of this long letter, but I hope my zeal for the affair will plead my excuse. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, December 2. Edinburgh.—I have written fully to my Lord Hallifax, which I desire you may deliver and allso that to the Treasurer. I have not time to write to you what I have wrote to my Lord Hallifax, but I doubt not but you can see that from his Lordship if you have a mind, which I hope will give satisfaction.

We have not heard of the Glasgow mob army being advanced any further than nine miles on this side that place, and there they found mony was a necessary thing which they wanted, so I believe this army incognito are dispersed e'er now, and in a very litle time I hope all apprehensions of this kind will be over, and the generality of people see their mistake as to the Treaty. . . . . You may be sure the forces on the Borders encouradge us not a litle, and has quite different effects on the opposers; but I differ from you in this that anything of that kind shou'd be keept private, for I'm of opinion, and so is the Commissioner, that the publicker it be the better, and in place of saying the numbers are small we think that it shou'd be insinuated that they are greater than they really are.

What's above I wrote in the forenoon. Since that time we have heard of the Glasgow mob army, They came the length of Killsyth, and increast to about eighty and ane other drum, but

hearing of the dragoons they marcht towards Hamilton. They gave out that they expect to be join'd by others at Lendrick. I do not believe that this will come to anything, but we'll hear more of it to-morrow, which you shall know by to-morrow's post.

I just now received yours of the 28th by the express. The letter concerning trade pleases me extreamly. I'm just now to read it again with the President of the Session and Sir D. Dallrymple, and we think it will be fit to print it. Your letter gives me great satisfaction, and you may be sure I shall give the hint but to such to whom it is absolutely necesssary and who will make no bad use of it. I have wrote so fully to my Lord Hallifax, which probably you will see, and the Register so fully to you, which I have seen since the morning, that 'tis needless to say any more now, so adieu for the 2d time.

[There is a postscript by James Erskine as follows] :—" Sir, because my brother is reading the letter concerning trade, etc., with my Lord President of the Session and Sir David Dallrymple, he bids me tell you that he just now heard from the Commissioner that the Duke of Hamilton had sent his Grace a letter which he got this day from a servant of his mother's, the old Dutchess of Hamilton, telling him that the Glasgow mob came yesternight to that place from Killsyth, much to the surprise (as the letter says) of the people there. They asked quarters and said they would make them good, and assured the Dutchess and the magistrates that they intended no harm to them or to their town, but would fight whille their blood is warm for the independency, religion, etc., of their country against England. The letter adds that they had abundance of mony, and were to march from thence next day nobody knows whether; but they assur'd the people of Hamilton that in a litle time they wou'd be strong enough to defeat all the forces in the kingdom, which I think none but such fools as themselves will readyly believe, tho' 'tis hard to say what the madness of the west country people may lead them to." *Copy.*

Sir David Nairne to the Earl of Mar.

1706, December 4.—I told my Lord Treasurer the passage of delivery and denyall of B[elhaven]'s letter. He doubts not of it being safe with him, and his denying it is a signe how litle he liked it; for if the lest thing had been in it which he could have constructed to his advantage he would have been proud enough to have showen it. I find great doubt in friends about printing the protest you sent me, especially seeing it was done in the minuts. All friends that you can wish to know of the Mar[quis's] procedure are fully apprised and its not sure whither a mob here will understand it and know to make any other use of it then to tell one another how ill a thing the Union is when such a man whose name is well known here is against it. I shall advise once more about it, and if the same thoughts are containowed I hope you will not be for printing.

THE PROFESSORS OF THE COLLEGE OF ST. ANDREWS to the EARL OF MAR.

1706, December 4. St. Andrews.—The Rev. Mr. Thomas Forrester, late principal of the new college has died, and as is customary, they recommend the Rev. Mr. James Hadow, professor of theology and second master of that college, to the vacant principalship, which must be filled by a presentation from the Queen. *Signed by* Robert Ramsay, rector; Col. Vilant, Fac. Art. Dec.; Jo. Craigie, p.p.; Fra. Pringle, L. Gr. p.; N. Young, H.H. LL. p.; Thomas Tailzior, p.p.; Wil. Young, p.p; Jo. Syme, L.H.P.; Thos. Forrester, p.p.; Alexr. Scrymgeour, p.p.; Pat. Haldane, L.G.P.

CAPTAIN WILLIAM HOLBURN to LIEUT.-COL. ERSKINE.

1706, December 4. Stirling Castle.—This day at twelve a'clock I was standing near the cross of Stirlin, and ther cam some ruffians out from a sham gward the toun keeps since the dragouns went from this and brought the articles of the Treatie of Union to the cross, kindled a fire and threw the articles in it with severall huzas. This partie was headed by Patrick Stivinson late thesaurer. The gward was commanded by Baillie Allen who at that time was out of the way, whither designedly or not I shall not say. This rascall Stivenson was ensign of the guard. Mr. Brishen is gone to Glasgow to concert matters with the bretheren there. I hope the next week we shall hav our men lodged in the castle. . . . . The guard that is keept here is good for nothing but to raise tumults, for the whole toun are evry night drunk. I wish we had some of the forces to curb this seditious people.

SIR DAVID NAIRNE to the EARL OF MAR.

1706, December 5. Whitehall.—By a flying pacquett yesternight I just told of receaveing your Lordship's of the 28th. Now I have that of the 30th; both which I read to the Queen and my Lord Treasurer, who are mighty well pleased with the accounts you give and the proceedings in Parliament the 29th and 30th for suppressing the mob. What assistance the Queen intends I have already told your Lordship, therfor shall not insist. . . . . It's much wished that the methods taken may quiet the countrie people, for then wee have all the reason in the world to hope for good success in the grand affaire. The address made to the Queen this day from both Houses will convince the world of the good disposition of the Parliament here, and I hope no small matters will prevent so great a good.

SIR DAVID NAIRNE to the EARL OF MAR.

1706, December 5.—The Queen had a mighty scroople about the Earl of Northesk's gift for life at this time. I said all I could. She wold not say she wold doe it, but I got it soe

far that I had her orders to draw them as you advised. I wold not take notice of it in my other letter to your Lordship till I am sure, soe my not mentioning of it may rather suppose I had them not ready to present rather than that they were demurr'd at. I hope to get it done. It's hardly thought that the young gentleman at St. Germains will venture himselfe, as the story goes; but all caire will be taken to support the Government in cace of any attempts. I know the opposers of the Union have given over thoughts of being able to doe more then put it off as long as they can, and such as this is write to their friends here; and it's fifty to one but after a sally or two more the great man's illness or palsy fitts may make him thinke it necessary to come to the baths.

J. Finlaysone, in name of the Magistrates of Stirling, to Lieut.-Col. Erskine.

1706, December 5. Stirling.—The magistrates and council convened this day, took to consideration that yesterday some few persons presumed to burn the Articles of Union upon the High Street. They deem the same a manifest contempt of the government and both disclame and disown the same as done without the least knowledge on the part of any of them, and profess that they are ready to punish the perpetrators. It was only the act of some drunken people and boys who knew nothing of the late Act of Parliament anent tumultuous and irregular meetings. They also desire advice as to the punishment of those guilty.

The Earl of Mar to Sir David Nairne.

1706, December 7. Edinburgh.—In my letter to my Lord Halifax, I said that I hopt any alteratione or additione as to the malt might be gott done here by way of address to her Majestie; but by what was done that day you see I was mistaken. For with a great strugle and by the Chancellor's casting vote wee carried onlie that the exemptione should be dureing this war, and not a certaine number of years, which wou'd have been seven at least, and very probabilie thertein or ninetein if we had lost the vote. The addressing the Queen upon it was proposed, but wee cou'd not get it to take in the House. Yesterday wee were on the 14th artickle again, and the opposers proposed that an exemption for Scotland as to all taxes whatsomever should be aded, except such as are alreadie agreed to. Some proposed this for a certain number of years, and others dureing the war. This batle was strongly fought, and wee toke a vast deall of paines to gaine people to approve of the artickle as it was, now since that concerning the malt was added for which they were so affraid. It is needless to tell you all that was said in the House upon this; but some of us spoke a great dale and with all the earnestness we cou'd, and

the opposers were not silent, I can assure you. They used all the populare and plausable arguments they cou'd feind, and by them deluded severall people. However, wee at last brought it to a questione. Wee were forced to have a previous vote what shou'd be the state of the question, which wee carried by 18; then the artickle was approven by 38. The necessity that was of yealding to explanationes or alterations plainly appears by Thursday's procedor; but now since wee carried the artickle without any other alteratione I hope that of the malt will not be thought inconsistent with the Treatie, so will be no stope to its passing in England. Scotland by the Treatie was not only to be free of the present malt tax, but also of any that shou'd be imposed upon England this Session of the Parliament there. This tax is never imposed but in tim of war, and I hope this war will be at an end before the ensewing campaigne be over. For my self I did wish with others that there had been no addition to or exception from this 14th artickle, for I thought Scotland very saife with the reference to the Parliament of Britain, who will certainlie be tender of us in the infancie of the Union, when we are poor, and it will take some years to make us feel the advantadges of the communication of trade; so shou'd greater taxes be imposed upon us imediatlie after the Union than Scotland boar before it, and before the generality of this kingdom found the sueet and advantages of being incorporat, it wou'd certainlie have bad effects and be very griveous to the people. This will certainlie be under the consideration of the Parliament of Britain, so without any express stipulation I wou'd have thought Scotland shure of being free of any malt tax this war, and I did all in my power to persuade others to be of the sam oppinion; but ther is such an apprehension here of the griveousness of this tax that wee cou'd not gett a plurality by a great odds to be against the additione, tho' wee gott them to trust to the Parliament of Britain for being free of any other imposition. And since it is so, I hope the addition will give no umbradge nor offence to our neighbours. Pray give my humble service to my Lord Halyfax and show him this, because I was mistaken in mine to his Lordship as to what wou'd be done upon this point. The artickle about the salt is commited you know. I confess I'm more affraid of that than any artickle now remaining, but I hope if any alteration be inevitable wee shall carrie it so as not [to be] inconsistent with the Treatie; which is all I can say as to that untill wee gett a report from the comittie and see what turn it is like to take in the House.

To-day wee proposed to proceed upon the 15th artickle. Fletcher in a vast heat said the House had commited an error yesterday in passing the 14th artickle without first ending the 6th and 8th. He was taken up as warmlie, and after som reasoning he beg'd pardon of the House, which was accepted; and the 15th artickle read, and then the 1th paragrafe of it. The report from the comittie concerning the calculation of the equivalent was next read, which confirmed the other. Wee had then a long wrangle

about that paragrafe. At last the vote was proposed (as you'l see by the minuts), Approve this paragrafe or not. Fletcher proposed that the vote shou'd be whither wee should enter into the debts of England or not. Then it was voted whilk shou'd be the state of the question. The first caried by 71, and then that parragrafe was approven by 113; but before the vote Belhaven entred a protest that the voteing to this shou'd not be binding on this nation to enter into the debts of England. One of those who the committee had imploy'd for examining the calcule of the equivalent thought fitt to make some remarks and desertations upon our paying pairt of the English debts, which the comittie would not receive, and he was told that was non of his bussiness, so they wou'd only receive his report as to the calculation, which he gave and said he wou'd not speak of the other. This lookt a leitle as if he had been practised; so to prevent any deficultie that way my Lord Montross by our advice proposed that the Parliament shou'd recommend those who had examined the calculation to the Treasurie for a gratification, which was ordered, and by this they are kept in dependance. And it will also be a good preparative for getting an allowance to those who calculated the Equivalent at London, tho' wee did not think it fitt to propose it at this tim. I lykt this dayes procedor mightie well, for not one of those who are for the Union were mislead in their votes, notwithstanding of the plausable pretext of being free of the English debts which the opposers insisted on all they cou'd; and this gives me a good view of the finishing vote. Against wee nixt meet, which is Tewsday, I believe the comittie will have a report reddy for the Parliament as to the 6th artickle; and in that I hope we shall not have much dificultie, tho' aboundance of wrangling.

You was told som posts agoe that a detachment of 200 horse and dragoons were sent to Glasgow to disperce the mobe ther and to apprehend the ringleaders, then to march to Hamilton, Lendrick, and Douglass, and so after making that toure to com back here. This detachment marched to Glasgow, where the rable had dispersed a leitle before they cam. Tuo of the rable captains who had been in armes at Kilsyth were taken, and the pairtie returned with them here yesterday. They are putt in the Castle closs prisoners. As they were delyvered att the Castle gate som of the Edinburgh mobe gathered about them, and one of them thought to have rescued one of the prisoners out of the Castle serjant's hands. Collonel Campble was hard by on horss back, and cam up and run him throw the shouldier, but the fellow run doun the stipe of the hill where the horss cou'd not follow, so he made his escape. But he's knowen, and his master is a hatt maker. The tuo prisoners' names are Finlay and Montgomrie. The first sayes that what he did he was warranted by law; but the other sayes he'l confess all and thro' himself on the Queen's mercie. Ther was a Counsell to-night, and a comittie of three appointed to examine them. My Lord Montrose is one of them, so I leave it to him to give ane account of what they said.

The troups did certainlie mistake their orders in coming so soon back, but it was thought fitt to be winkt att. After they cam from Glasgow the mobe rose and threatned the magestrats unless they got back the prisoners they wou'd do wonders; so the majestrats are com in here, and the affair was represented to-night in Councill. Som say the majestrats have not behaved so as they ought, so ther's a comittie named to examine the affair on Muuday and to report to the Council.

By the inclosed coppie of the leter from the Commission of the Generall Assembly to Presbyteries, you'l see the clargie are begining to grow some wiser; but it is easier by much (they say) to raise the deivell than to lay him. . . . . I have sent you a song on Balhaven, but it's not in print, which is a pittie. . . . . .

Sunday's night, December 7th.—The flyeing pacquet that you mentioned to Raitt is not yett come, but the Commissioner resolves not to keep this packquet for it. By good luck the Chancellar had a copie of the Queen's speech sent him by the last post, which cam this morning. If it had not com wee would have been in a maise here, for ther's severalls here in toun who gott the heads of the speech, and in them it's said that the Queen speaking of the Treatie sayes it is now under the consideratione of the Scots Parliamentt, and she hop't it wou'd be redie to lay before them in England against their next meeting. The opposers are overjoy'd at this, for fue of them has yet seen the reall speech. My Lord Loudoun's porter sent one of thir papers so to his man Smith, and it is wryt on the back of the flyeing post which was sent to the Duke of Athole, and I'm told Sir David Dalrimple's servant Arbuthnet has one of them sent him too. I'm persuaded this has been done of designe to do harm here. I saw these papers in the morning, and I assure you I was not a leitle releived when I saw the printed speech to-night. The Chancelar has sent it to be printed here. I wish you cou'd learne from whom these papers cam. Loudoun's porter will tell you from whom he had it, and you may gett notice who sends the Duke of Athole his neus papers. Sir David's man, I believe, corresponds with one in Mr. Harlay's office. I'm soray for the loss of severall places in Spain. Belhaven told to severalls yesterday in the House of Carthagena's being taken and tuo regiments in it; but how he cam to know it is pritty odd, for the post cam not till this morning, and the fleet from Holland which cam tuo dayes before knew nothing of it. So its licklie this intelligence was such an other as what cam over with the Burgandie wine, as you have it in the song. . . . . I send you the French King's proposals for a peace which wee have printed here. Lord Ross gave them into the press, and says he had them from Mr. Shout. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, December 10. Edinburgh.—I have both yours of the 4th and 5th. The addresses give great satisfaction here, and

their firmness I hope will have good effects. I have litle to say since my last of the 7th. This day the committy told the House that they had gone through the 6th article and the clauses concerning it which were remitted to them, and that they had put their report on the generall and allso on evry particular clause which was remitted to them in the clerck's hands, and proposed that they should be taken into consideration as they had gone throw them, which was the particulars first. They allso told that the grounds on which they went were in the clerck's hands for the satisfaction of the members. Their first report, which is concerning a premium on oatmeal exported, was read. The Duke of Hamilton, Fletcher, and some others of that sett proposed the reading of all the reports on the 6th article and things relating to it before any one of them were taken under consideration, and that they shou'd be printed and the grounds the committy had gone upon. This was a new delay, so we argued against it and told that evry member might have been present at the committy as severalls were, so the printing was needless, and that it was absolutely necessary to go upon the reports concerning the particulars before we went upon the generall. There was a great deal of wrangling about this, and when it was like to come to a vote the Duke of Hamilton spoke so often and so loud that we were forced to call to order. Some people said that that order for speaking but twice to one thing was in desuetude, and others, as the Marquis of Annandale, said people ought to be let speak as often as they will on this great affair of the Union. So the Duke of Argyle and I proposed that a resolve should be declaring that all the orders of the House should be punctually observed, and whoever broke them, particularly this concerning speaking, incroacht on the priviledges of Parliament and should presently be censured. This interim debate lasted a long time. Some cited the Act of Parliament regulating the orders, and said there was no need of a new resolve. Evry body at last own'd that this Act was in full force and none of it in desuetude tho' often broke, and those who had spoke against it yielded what they had said, so we proceeded to our former debate. The Duke of Hamilton is very angry with me for this affair, but that is nothing.

The report of the committy makes the premium for oatmeal exported to be half a crowne per quarter, but says nothing of oats. Some proposed that the premium shou'd be forty pence. The vote was at last stated approve the report or alter, and it carry'd approve by a great plurality, which was all we cou'd do to-day, so were adjourned till to-morrow. Some still think to propose a premium on oats, but I believe they will not carry it.

I hope the commotions here are now near over. The two prisoners have told some storys, but I have not yet seen their informations, so will not say any thing of it. If it be fully ripe you'll hear of it from others to-night, and if not, as soon as it is.

The Councill gave the magistrates and deacons of trades of Glasgow who came here a reprimand and ordered them to go back to their town and keep them in order, or else they wou'd

be pursued for their priviledges which they had certainly forfeited, and that the Government wou'd take care to support them in keeping the peace. Some troops are to be sent to quarter there, which I believe will put ane end to all this affair. . . . . I only desired Annandale's resolve to be printed to inform people rightly of his Lordship, and I thought the mob of London were better inclined than to be misled by it; but if others think not so there's ane end of it. I rather thought it wou'd do good. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, December, 10. Whitehall.—I had a letter from Mr. Erskin yeasterday of the 3d giveing ane account of the proceedings of that day, which I communicat to her Majesty, my Lord Treasurer, and others. Wee did not expect much opposition to the five articles then past. I have that skandelous paper taken from the cross at Stirling. They say a warned man is halfe armed; if your Lordship should goe that way I hope you will not be too negligent of yourselfe; a villan may doe anything. There is 800 horse marched from this to the Borders by advice of the Duke of Malborrow, for he thinks they will be more usefull then thrice there number of foot.

The Earl of Mar to the Earl of Sunderland, Secretary of State for England.

1706, December 10. Edinburgh.—I'm very glad of ane opportunity of congratulating your Lordship upon the employment you have deservedly got, which I do with all my heart. I hope that you'll forgive me to wish that as your Lordship has got the employment, so you may allso get the house belonging to it, by which I wou'd have the happyness of being in your neighbourhood when at London. If the Queen shall think after the Union that there's no use for me or any body else in the employment I now have, I shall be very glad that your Lordship is in that post to take care of this part of the United Kingdom, which I'm sure wou'd be safe in your hands.

To save your Lordship of trouble I have not wrote to you since I came to Scotland. I wrote allways fully to Sir David Nairne, and when there was any thing materiall I desired he might acquaint your Lordship and other friends with it, which I hope he did; and this was easyer I thought for your Lordship than writing directly to yourself. I know severals here wrote to your Lordship some days ago concerning some explanations and additions to the Articles of the Treaty, so I would not trouble you then either; but I wrote fully at that time to my Lord Hallifax upon the same subject.

I hope your Lordship and others are convinced that nothing wou'd have made us who are friends to the Union here yield to any explanations, additions, or alterations of the articles but absolute necessity. And by those allready made I hope it appears that any we will yield to are not inconsistent with the

Treaty, nor doe not at all alter the design of any part of it. I doubt not but there will be unreasonable things proposed to be added or explan'd so as may make the Union impracticable, but I doubt as little of our being able to get such things rejected. We have a strugling fighting life of it here, which has made and will make our procedure slow, but notwithstanding all the opposition I hope we shall have finished our part of this great affair against the English Parliament have finished their supplys, and then I doubt not but there will be time for their ratifying the Treaty too. There's nothing of the Treaty I'm now so affraid of here as the salt; but that article stands committed, and we shall do all that's possible to keep it right. I hope one way or other we shall be able to do it. Friends here are not a litle pleased with the addresses of both Houses to the Queen, but particularly with that from the Lords, which came to-day and is now a-printing; which certainly will show the world and the unbelivers here that England is in earnest in the affair of the Union, tho' there has been pains taken to perswade people here that it was not, or at the least wou'd drop the measure.

I have seen some letters from Holland and spoke with some people come lately trom that country, who say that the Dutch are mighty apprehensive of the Union, and would do what possibly they cou'd to ruine it underhand. This I never doubted of, but your Lordship will have more occasion of knowing it. They tell me allso that the Dutch have particular correspondents here who give information of evry step we make. Of what use it wou'd be to know who are those correspondents and what designs are in it, your Lordship may easily judge. It is hard to discover it here, but I fancy it might be done with more ease at London; for here any letters from this to Holland that are of this nature, people from whom they are will certainly be cautious about them and probably enclose them in letters directed to London. There's a story here a good whille that mony has been sent to this from Holland. I hope it is not so, but I'm sure I wish it may not be true, for if it were I confess I wou'd be affraid of its consequences. I will not presume to advise any further on this matter, but leave it to your Lordship.

I hope the commotions that were likely to be in this country are now going over. I will not now trouble your Lordship with any particulars of our procedure, since Sir David Nairne will give you a full account of all that is done from time to time. Tho' our work here has been very hard, yet I hope it shall come to a good conclusion, and that the pains that your Lordship and other great men in England took in this important affair will not be losst, but that both nations will be happy in ane intire Union, which I'm sure are the earnest wishes of, etc. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, December 12. Edinburgh.—I have very litle to say of our proceedings thirr two days, more than the minuts which the Register sends you will let you know. All the difficultys as to

the 6th article are now I hope over, and at our next sederunt I doubt not but that article will be approven. Pray heavens the 8th article may have the same fate, and then I wou'd think we were passt hazard and within sight of land.

Because of Lord John Hay's buriall the Commissioner was oblidged to adjourn till Munday. . . . . I send you inclos'd the paper that was ordered by the House to-day, to be burnt by the hand of the hangman. I'm credibly inform'd that it is write by Mr. Wylie, minister of Hamilton.

The prisoners in the castle have made a full confession, and the party that apprehended them are ordered to apprehend severalls who they informed of. They march to-morrow, and it will be some days before they return. It plainly appears that the rising in arms was a form'd design, and perhaps it will be found out who were the contrivers; but you shall hear more of this when it is ripe. We are now on the right scent and it will be odd if something be not made out, if the people be catcht whom the party is going about. We have reason to believe that people of good condition and of a high rank will be made appear to have had a hand in all this affair.

Nine at night. I could not get the paper to send you thats ordred to be burnt and I had it not my self as I thought, but it is some queries reflecting on those for the Union. *Copy.*

The Earl of Mar to Captain Holburn.

1706, December 13. Edinburgh, Friday morning.—Sir, you have incloased an order for apprehending ———— Steenson, late Treasurer of Stirling, which you are to do once to-morow. As to the maner of doing it, the most convenient and saifest way must be left to yourself, you being on the place so being best judge; but my own thoughts of it are that you cairie your partie down the back way from the castle with as little noice or observation as possibe, when it is dark, and march up the Fryer Wynd to his house or where else you surely know he is, and saise him; then to march up the street with him to the castle, and in case any attempt be made upon you to make your post good by force if there be occation. Because he is an officer of the toun guard, if he shou'd chance to be on the guard to-morrow you wou'd delay apprehending him until the most convenient time on Sunday. You wou'd take some way tho' very secretly and without being noticed to informe yourself where he is before you make the attempt for him. He is to be keept closs prisoner, conform to the order. Collonel Erskine is to wryt to you in what room he is to be put. Use him sivillie, and I believe you will not be long troubled with him, for he'll be brought here. As soon as you have put him in his room give him a copie of my order. I think about thertie men will be a sufficient pairtie, but you wou'd choose the best men and be sure their armes be in good order. If you think a greater pairtie necessare then you may order it as you think fit; but be sure that it be such a pairtie as any force the toun can bring against

you of a sudden cannot affront you. Both for secresie and other reasons I can trust the comand of this pairtie to none but your selfe, but when you go out with it order the ensing and the rest of the garison to be in the castle until you return. As soon as you have executed your orders let me have an account of it from you by an express. I trust this affair to your cair, and I am, Sir, your humble servant, MAR. *Copy.*

SIR DAVID NAIRNE to the EARL OF MAR.

1706, December 14. Whitehall.—The letter from the Commission of the General Assembly is of more consequence here than can be well imagined for the calmness and disapproving of the tumults make people thinke they are become more inclinable to the Union, and that the Act of Security of their church has made them soe.

SIR DAVID NAIRNE to the EARL OF MAR.

1706, December 17. Whitehall.—Wee are in great expectations of hearing some great matters discovered by Finlay and Montgumrie. I fancy if the discoverys are greate they ought to be kept this time very secret. Who ever are guilty know it themselves and may be some awe on them; and if the discoverys are publick there must be a publick resentment, which may retard other business and that seems what wold most gratify some people. Redpeth sends the Duke of Atholls newspapers, and on, Morgan, gave the paper he called the Queens Speech to the Earl of Loudouns porter.

THE EARL OF MAR to SIR DAVID NAIRNE.

1706, December 17. Edinburgh, 8 p.m.—Yesterday the 6th artickle of the Treatie was approven with the explanations formerlie made, which the Register told me he was to send you, else I had done it. I hope the Queen, her Ministrie and others concerned will think this point well over, and that ther's nothing in the explanation or additiones inconsistent with the Treatie or what will make deficultie in England. It was not possible to carrie it otherwayes here, and I hope the alterations are of no consequence.

To-day wee were on the 8th artickle in relatione to salt. The committee made their report upou severall branches of it. Tuo of them were approven, which the Register also promist to send you. I hope, too, that neither of them will be thought of prejudice. I told you always that this was the artickle I was most affraid of, every body seeing that if this countrie cam to be subject after the seven years' exemption to the dueties on salt, it would be such a burden to the poor that cou'd hardly be borne. For my ouné pairt I neaver thought Scotland wou'd be lyable to it, for since our claim of further exemptions was

carried to the Parliament of Britain I firmlie beleived that ther wou'd be som way fallen on during the seven years to releive us of it, and the rather because this tax was griveous to England too. But other people have not so much faith, and therfor are frighted at it. I'm affraid wee will not be able to carrie the artickle as it stands, but that ther will be an exemptione for a further term of years insisted on and probablie may carrie. Some people designe to ask a perpetual exemption, but I hardlie beleive this will obtean. Wee are takeing all the paines wee can possiblie about this affair of the salt; but I'm reallie affraid that all wee will be able to bring it to will be an address to her Majestie, or more probablie a stipulatione in the artickle that before the experatione of the seven yeares of exemptione the Parliament of Britain for the ease of all the United Kingdom shall put this upon an other fond. I hope wee will be able to carrie it thus, tho' I'm not sure. Wee sitt again to-morrow, and will be first on that point whether or not all fishes shall be cured with foraigne salt, which I think, will carrie; then upon the drawbacks. The comittee has allowed 20s. Scots per barrel upon the whyt herings more than the duetie on salt, which is of all 10s. sterling per barrel, but subject to the Parliament of Britain. Many think this encouragment to this fishing too small, and so are resolved to ask a higher drawback or premium. It is pritty plausable, so I'm not sure how it will goe; but unless it be very extravagant, I hope ther's no danger in it, and especiallie since the Parliament of Britain can alter it if it be found wrong. But I wou'd be sorie if they were obleidged to doe so. After this wee will com to the further exemption, which is the nice point; you may rest secure that wee will doe all that's possible to keep this right and to approve it as it stands if possible; but tho' they shou'd carrie a further number of years against us I hope that sam wou'd not break the Treatie, for if they did so the Parliament of Britain could still remidie it by laying it upon an other fond. But I hope it shall not come to this.

I told you that ther was a pairtie gone in quest of som people who had been guilty in riseing in armes and stiring up the people to it. They have mist the principal people at Glasgow, and so has a pairtie of the garrisone of Stirling Castle mist one of that toun who wee had informatione against. Those people knowing themselves guiltie have all fledd and absconded. Ther was a servant of the Dutchess of Hamiltons ordered to be brought in. I'm affraid he will be brought and by missing the other people wee will want witneses against him. But more of this afterward, the pairtie not being yet returned.

I believe my Lord Loudoun is to wryt to you to-night concerning my Lord Crommerties appropriation for his 1,500 libs. By his carriadge at this tim he reallie deserves to be incuradged, and I doubt not but the Queen will inclyne to be favourable to him. If my word can doe him any good pray lett it be known that I have wryt in his favours. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, December 19. Edinburgh.—I received yours of the 14th this morning. I'm glade the alteratione of the malt tax gives you no uneasiness.

To-day the Parliament was on the drawbacks. I told you formerlie that the comittie had agreed to 20s. Scots over and above the duetie on each barrel of whyt herrings, and that some people thought it too leitle and wou'd ask more, which they did. Some proposed 30s., some 40, and others 24s., and then 25s., who were for accomodating the matter. After a great deall of wrangling the last was agreed to without a vote; so it is of all 6 lib. 5s. sterling on the laste. The comittie reckoned that each barrel of herrings required four bolls salt to cure it, which was what was allowed by the Royall Fisherie Company. I hope this will give no umbradge, for if the trade incrase and so maney drawbacks to be payed the returnes will augment the customes. The fear of haveing the drawbacks higher made us agree to this without a vote. The nixt thing proposed was a drawback or premium on beeff and pork. This, as it is redicolus and rather a loss than an advantage to the nation, wee argued against all wee could and told it wou'd certainly break the Union; but a great maney of our own people went of from us, so wee cou'd not push the vote, but adjourned the debeat, hopeing to gett them better informed against the morrow. The occasione of their leaving us is mostlie oweing to letters from London to people here, particularlie one from Mr. Shipherd, which says, as I'm told, that England wou'd not refuse it. By such as this I'm reallie affraid of its carrieing; but wee are doeing what wee can to prevent it. If it doe carrie all the remedie is that it is subject to be alter'd by the Parliament of Britaine.

I wou'd fain hope that we'll end the 8th artickle to-morrow, but it is not sure that wee will, and I'm still affraid of a longer exemptione being carried then seven years; however, wee are doeing our best to keep it right.

The pairtie is com back and brought the Dutchess of Hamilton's man with them, the Treasurer of Hamilton, and tuo of the meanest mobers from Glasgow; but all the principal men who cou'd have proven anything are escaped. Those who are brought are to be examined to-morrow, but for want of those people I'm affraid there will nothing be made out against them.

Ther's a paragraff in the last flyeing post from Edinburgh prittie odd, which made me send it you that you may inquyr att the author who was his correspondent, which might be of use for us to know.

I have sent you a new pamphlet, which is reallie prittie well done considering the author, who you would hardly guess to be Roben Seatone. *Copy.*

Sir David Nairne to the Earl of Mar.

1706, December 19. Whitehall.—This has been a kind of holy day. The Duke of Malborrow was entertand by the City and the trophies of the last years campaigns were caryd befor him, which the Queen came to see. I wish I had got some informations ere now of the mighty discoverys the toun talke will have to be made by Finly and Montgumrie, but I know soe litle that I have not had a charecter of the men more then that the first had been a souldeor in Dumbartons regiament.

The Earl of Mar to Sir David Nairne.

1706, December 21. Edinburgh.—By the inclosed scrole of yesterday's minuts you'l see that wee lost the vote concerning the drawbacks on beeff and pork. The plurality was but one. I'm very sorie for this, for I know people in England who have no lykeing to the Union will indeavour to make this appear to be a verie great unequality, and so will freight others with it. But if it be considered as reallie it is or possible ever to amount to, it can give no such umbradge. There is verie leitle or no stald beeff here, for our ground will not produce what is large enough for that purpoas. No grass beeff is verie fitt for salting, but especiallie ours that is so leitle and for the most part lain. There was never a hundred barle of Scots beeff, save once, transported for seall in one year, as I'm crediblie informed; so as for beeff you see it nather is now the subject of trade from this nor can it ever be so. As for the pork which is salted and exported from this, it is but fyve or six years since ever ther was any such thing; and the most that ever was exported from Aberdine in one year was eight hundred barle; and that is the only place from whence any was ever sent. The first two yeares of this trade the pork was well cured, so sold well; but afterwards they neglected to cure it faithfullie, so it is now in such disrepute abroad that the last that was sent I'm informed still lyes unsold in Holland. For want of trade and shiping at home, pork here was useless unless exported, which made the last sessione of Parliament give a drawback on it, but after the Union when trade and shiping incresses here ther will be occassione for more pork than this countrie affords, so non will be exported for seall. By all which I hope it appears that even as it has caried it is of leitle consequence. Wee argued against it all wee cou'd, but people had gott such an impressione of it that they wou'd not harken to us. They said that for thir severall years bypast the Scots cattle sold verie ill in England so that trade cam now to no account; and after the Union if they were not on a foot of being capable to export them salted with profeit, then England wou'd sett the dice upon them and then they wou'd be forced to sell them to them at what price they pleased to give. This and the incuradgment that som mertchants from London gave by privat letters to people here that insisting on it wou'd obtean it, that a great maney of our oun people were ledd of from us, some of whom now repents it.

Prestonhall and all Cromerties people went against us. Mr. Seatoun thinking wee wou'd carie it without him and to make court to his shire of Abberdine voted against us too. But what did us most harme was Sir Patrick Johnston's voteing against us, who was a treater and the first voter of the Burrous. The clause for this drawback nor the drawback itself is not yett adjusted. Some of us are to meet about it to-night with the Commissioner, and I hope wee shall forme it in such terms and leave it so intire to the Parliament of Britain that our loosing this vote shall be nothing. So maney appear to be sensible of their mistake yesterday of voteing against us that I hope wee shall be able on Munday to carie this clause so that any apprehension that may be upon our loosing the vote yesterday may be in a great measure rémoved. Severals who have imployments from the Queen voted against us as some of those people have done in other things before, particularlie Meldrum, who is one of the masters of work, and Maxwell of Cardiness, who has a company in Inverlochie and a Lieutenant-Colonels act. I am of oppinion that the Queen's shoeing her displeasure against thir tuo by disposing imediatlie of their imployments wou'd doe good, and shoe other people who are in the service their hazard of goeing contrair to the measures of the Queen's servants. I believe the Commissioner is to wryt to you of this, that the Queen may be pleased to signe tuo blank commissions for thir tuo posts to be sent as soon as possible to the Commissioner. Maxwell has not attended his post of a long tim, and has growen rich on it. He has been for the most pairt this Parliament against us, and in these things which wou'd certainlie have broak the Union had his side caried. So I think such a man is not fitt to be intrusted in the troops. Meldrum is a knowen Jacobite, and only gott his place last year upon goeing allong in the act for the Treatie and promising to goe throw with it. The Duke of Argyle who put him in is now clear for turning him out, so I think ther can be no objectione against it. I'm sure I have no quarrell or pick at either of them, but only advise this as what I think for the Queen's service.

I'm still affraid as to a further exemption for the salt being prest and in hazard of carieing. I feind a great many even of our own people scroupolus on that point. I'm hopefull their failling as yesterday may make them the easier to guid on this point, tho' I confess I almost dispair of our being able to carie it without some alteratione. Wee are doeing what wee can to fall on som expedient for this, in which I hope wee shall be successful; but it's needless to say more of this untill it com a greater length, which will be the nixt sederunt or that imediatlie therafter. Cromertie, who was the only one of his partie with us yesterday, promises to take all the paines with his people that's possible to bring them back to us. I believe they will certainlie be with us in most things after this 8th artickle is over, as they were with us in most things before it; and I reallie beleive it is not Cromertie's fault that they are not with us in this too.

Sir David Dalrimple is just come in to me so I can say no more, for wee have gott a botle of better claret than London toun affoords, and are just goeing to drink success to the Grand Affair and your wirships health. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706, December 24. Edinburgh.—I believe my last wou'd not be very acceptable, but now I hope the Queen and those concerned for the Union will be satisfy'd that anything which was amiss by my last is now rectify'd, and I think we are now in sight of land.

I have not time to get copies of the two additions to the 8th article that have been voted thirr two days, but I known the Register sends you them. You will see by that of Munday that the drawback on beeff and pork is only the duty of the salt made use of for cureing them, and it is entirely subject to the allteration of the Parliament of Britain, so I hope the loss we had by the former vote made up by this. We had two votes on this point; the 1st carry'd by 29 and the 2nd by above 70.

To-day we were upon the main point, to wit, the home salt. As I wrote last we had a meeting on this affair at the Abbay and there were severals with us beside the Queen's servants. We were all of opinion that if possible we shou'd stand to and carry that part of the article as it stands in the Treaty; and to be sure whether or not we were able to do so, we made a list of Parliament as we thought they wou'd go in this affair. Severall of the members we found to be doubtfull, so those we markt to be spoke to. When we had made this computation it appear'd that we cou'd carry this clause of the article if at all but by one or two; but if those who were doubtfull went against us or stay'd out of the House then we wou'd loose it by a great plurality. So that night, which was Sunday, we took no positive resolution but to speak to those doubtfull members, and evry man took a certain number to speak with them and to see how far we cou'd bring them along with us. I for my own share spoke as earnestly as I cou'd with the squadd assign'd to me to perswade them to approve the clause as it stands, and I beleive the rest did so too; but to little effect. Some of them told us that they wou'd stay out of the House, others that they behooved to be against us, and some that if the clause was carry'd as it was that they would be against all the rest of the articles and the Union in generall. We who had spoken to thirr people waited of the Commissioner on Munday morning as was appointed and told the answers we had got, by which it was plain to a demonstration that we wou'd lose it by a great plurality if we pusht the clause as it stood. So what was the best way to manadge it was the question. Some thought that before we yielded to ane allteration that we ought to have a previous vote, Approve the clause or Alter; and that if it carry'd to alter it wou'd show that it was none of our fault, and that we might still have the allteration in our power to be spoke to and

formed as we had a mind. Others thought, and of whose oppinion I was, that since we were sure of losing the vote Approve, the puting of it very dangerous, for in that case we cou'd not speak of any allteration to those doubtfull people before the vote passt in the House to alter, so they wou'd take their side and measures with the opposers for the allteration, which wou'd make the allteration to carry as the opposers had a mind. And alltho' we shou'd carry the clause as it was (which we saw was hardly possible) yet there was great hazard in it, for a good number had declar'd that if it carry'd so they wou'd be against the Union in generall and evry article of it which is not yet voted; by which the wholle wou'd run a risque of losing, or at least our plurality wou'd be small. Upon all which we thought it safer to form a clause for the explanation or allteration immediately, and speak of it to our friends and those doubtfull people to prepare them to go along with us against it came into the House. The plurality of our meeting was of this opinion; so a clause was immediately form'd and people spoke to, which had a good effect, for our friends were pleased and stuck closs to us, most of those doubtfull people were brought over to us, which made us carry the vote to-day. It was not possible to carry the explanation or allteration in milder terms than it passt, and since it is left free to the Parliament of Britain to change this fond and substitute ane other in it's place to which Scotland is to be lyable in proportion geting ane equivalent, I hope it will be thought no obstruction to the Union. You'll see too that Scotland is to be lyable to the shilling on the bushell of salt after the seven years which is perpetuat to the Crown; so it is only the 2sh. and 4d. that is to be free of if the Parliament of Britain alter not the fond. Thus it has carryed to-day by 26 of plurality against a perpetual exemption on the wholle dutys now or ever to be on salt. It was the best we cou'd make of it and I hope evry thing considered it will please. Some people were displeas'd with my Lord Stair for yielding some time ago to the supposition of this allteration, and for his proposing it some days ago in the committy. I do indeed think he had better not done it so soon nor so publickly, without first speaking to those people of it; but since ever there was allowed to be any supposition of allterations this was the main point that evry body within the House and without proposed to be explain'd or alltered. So that truly I do not believe it wou'd have been possible to carry it without this allteration tho' Stair had not spoke of it as he did; and if it had been possible to have carry'd it in the House without the allteration it wou'd have been at best by a very scrimp plurality, and the country wou'd have been so universally displeas'd with it and the wholle Union upon that account that it is but too probable that the consequences wou'd have been bad. It is very probable that there will be accounts wrote of all this and consequences drawn from it, which made me write the more fully. And as I have no byass to either of the two sides above the other, I thought I was oblidg'd to tell matter of fact and the reasons

that moved me to be of the oppinion I was. I think it is my duty without respecting particular men's oppinion to act as I think most conducing to the great affair, and to endeavour to keep evry body together and to take them allong who appear to be for the Union. I believe none suspects my sincerity in the affair, for I have put that without doubt; so I tell my mind the more freely, and I'm sure I do it impartially and with a good design.

If what was done to-day please, I believe you will be of my oppinion that we are now in sight of land. When we meet on Thursday ther's litle remaining to be done with the 8th article but adjusting the clauses to it that have been voted and then to approve, of which I think there is no doubt; and then I hope we will proceed faster in the rest.

Prestonhall offered the clause which was put in opposition to ours to-day, and stuck to it violently notwithstanding of all we cou'd say to him; but Cromarty was keen for us and all his people save one, and ane other of them who I believe wou'd have been against us was out of the House. I need not tell you how others voted since the lists are to be printed, which you shall have.

Before this you have from the Commissioner Finlay and Montgomrie's confessions or declarations, so I need say nothing of it. I had given you an account of it sooner, if I had not thought others had done it. Since non of the principale people were catcht at Glasgow when the partie was last there it is not possible to make anything out against people concerned in the riseing for want of witnesses. But ther's a way taken to make som of these peoplé who the partie mist to surrender themselves, which I hope shall take effect, and then perhaps something more may be done. Leven and Duppline cam to the Houss to-day, tho' nether of them are yett fullie recovered. Grant has gone north to see his lady, who is seick; but Strathmore went away with him and is not to returne till he come back, so his absence is no loss to us. Adieu. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, December 28. Edinburgh.—The opposers of the Union haveing been disappointed of mobs and the raiseing of the countrie, by the act and proclamation of Parliament, thought nixt to bring the heretors who had sign'd the addreses against the Union to toun from all places of the countrie to back their addresses and demand an ansuer to them. There was letters wryt to those gentlemen from this to this effect inviteing them to toun; and the shirreff-depute of Clidsdale wryt sircular letters to all the gentlemen in that shyre who had signed the address to com to toun to meet with others who had signed addresses too from other places; upon which several gentlemen from different places cam to toun, and others were a coming. The Commissioner being informed of all this thought fitt (with

advice of the Queens servants and others who are well inclined) to have it laid before the House yesterday, and ther was a draught of a proclamatione reddy drawen which the Register offer'd to the House. There was a long tim spent in debeating upon it, but at last it was brought to the vote and was approven by a great plurality, and was this day proclamed. It is needless to tell you all was said against it, but it was by the old sett, and they justified their comeing to toun and the whole storie very impudentlie. When they saw that wou'd not doe they formed a protest against it, which Mr. Lockhart presented, and took instruments upon it. This proclamation was a mortifying stroke to them, for besides it's defeating their designe it was a surpryze upon them. I know the Register sends you a coppie of the proclamatione and Loudoun the minuts of Counsell which satt to-day, so I need say no more of them. The proclamation took up the Parliament all yesterday, and to-day the committie was to sitt, so the Parliament was adjourned till Munday; and then wee will be on the uses for which the equivalent is to be applyed. Severalls of us have been talking of this. We think there is a necessitie of prefereing the loss of the coyn in the first place, then the Affrican Companie, and then the debts. I doubt not but friends with you are weareing, and think our proceedings slow; but were they here to see the deficulties and delays wee meet with they wou'd be convinc'd that it was not possible for us to have proceeded faster. They may be shure wee shall make all the dispatch that possiblie wee can, and I hope wee shall not now stick so long on any artickle as wee did on those that are past. I assure you our life here is not very diverting, so wee long for an end of the affair. Nixt moneth will doe it, I hope. *Copy.*

The Earl of Mar to Sir David Nairne.

1706, December 31. Edinburgh.—The Commissioner and the rest of the Queen's servants thought that the proceedings of the Parliament thir tuo dayes was worth a flyeing pacquet, that the Queen may know soon what forwardness her affairs are now in.

Yesterday the 15th artickle was approven with an explanation which the Register sends you. By it you'l see the preference is given to the reparation of the coine, then to the Affrican Company, and then to the debts of the nation; and it is remitted to the commitie to consider how that of the coine shall be done, and to stait the stock and intrest of the Affrican Company, and to consider to whom their money shall be payed, and also to stait and class the debts, and to report the whole to the Parliament. This remitt saves us of a vast deall of trouble and loss of tim, and also from disobleidging some of our friends who have debts oweing them. In the tim the commitie is adoeing this I hope the Parliament will have near finisht the Treatie; and some of those things which are remited can be done by seperat acts,

they only concerning Scotland. You will see also by the explanation that ther's tuo thousand pound to be payed yearlie out of the equivalent for seven years for incuradging manufactoring of course wooll in the countries that produces that species of wooll. This was agreed to in the commitie for incuradging those wooll masters, and in som maner to mak up the loss they will at first sustain by that wooll's not being exported. This can be no loss to England, and the rather because in England ther's none of this wooll, which is all tar'd. I indeed thought ther was no great reasons for this incuradgment; but som of those wooll-masters wou'd have been very troublesome without it, so I thought it best not to strugle. It is not yett determined how this tuo thousand pound shall be particularlie apply'd for incuradging this manufactor, that being yett before the commitie; but it is agreed that it shall not be by premiums on export, which was once proposed, so ther's no hazard in it. It is to be payed out of the incressing equivalent after the first year, but that year is out of the first equivalent. The rest of the explanatione is but what was imply'd in the artickle. There was a great strugle made against the company's being taken away without first hearing the proprietors, but the artickle was approven by a great majoritie, and the oppoasers were so kine on the standing of the company that they forgoat to debeat on the rest of the artickle. This advanced us well, for had they debeat on the rest of the artickle as they used and might have done wee wou'd not have gott over it thirr tuo dayes.

To-day the 16th and 17th artickles were approven without very much debeat, only a word or tuo were aded to the 16th concerning the officers of the mint, which are in effect nothing, but it was to please Lauderdale and Airdess.

When the 18th artickle was read ther was not much said to it for a long tim, so wee were proposing to putt it to the vote; but Balhaven said that by this artickle the Parliament of Britain cou'd impose the sacramentall test on Scots men. Wee told that that matter was alreddy taken cair of in the Act secureing the Church, and the Act was read; but they insisted and wee told it was not now inteir, for ther had been a clause for that effect offered and was rejected and another clause voted in its place, for which wee ceited that daye's minuts. Balhaven, Annandale, the Dukes of Hamiltone and Athole, and Earle of Buchan said with most of that partie that it was not only thought fitt to be added to the Act concerning the Church but inteir to be spoke to and added to this artickle or the 22d, and they insisted to have it added here. Wee prest that the vote should be Approve the artickle or not, and Buchan offered a clause (in effect which Balhaven had formerlie offer'd to be added to the Church Act) and desired the vote might be Add the clause or not, or which of the tuo shou'd be the stait of the question. Our side said that clause cou'd not be voted because it was not inteir, and that whoever offer'd a vote on what the Houss had alreadie determined deserved the censur of the Parliament. The opposers said it

was inteir and prest what Buchan did. I haveing sett doun Buchan and Balhaven before for speaking oftner than the rules of the House alowed (for which they were very angrie with me), and haveing spoke twyce before myself, I cou'd not speak again without leave, which the Commissioner granted me, so I proposed that wee shou'd first vote whither or not the clause offer'd by Buchan was inteir or not, and if it cairried inteir that the vote then shou'd be whither Approve the artickle or not or Ad the clause or not, by first or second; but that untill the House determined whither or not this clause was enteir it cou'd be no pairt of the question, and that if by the first vote it was found not inteir, then certainlie the proposer deserved the censur of the Houss, since so maney before had affirmed that it was not inteir and shoe'd it so clearlie by the minuts and Church act. After some more speaking this proposall of myne was agreed to, and the vote Inteir or not was putt, which wee cairied by 29; and imediatlie therafter (since the clause was out of the feild) the question was putt Approve the artickle or not, and caried Approve by a great pluralitie. Buchan is mad at me for what I said, and I believe our friendship is now quyt up; but since he has caried so, after all the pains I toke to gett the Queen to show him a mark of her favour, I thought he deserved to be so treated and I'm very indifferent how he take it.

This debeat was unexpected, but it is well over and wee are now sure not to be troubled with it again. The list of the votes are to be printed, which you shall have when they come out. Craufoord, Eglingtone, Maxwell of Cardiness, and Sir Patrick Johnstone were against us. Galloway was so too, but he's now so always. Northesk went out of toun some dayes agoe to see his lady, but will be back this week. Severall of our friends were this day absent, not expecting anything of moment before us; and wee have always great deficultie in getting som of them to attend the Houss punctuallie.

It was too lait to enter upon the 19th artickle, so it was only read, and wee are to beginn on it next sederunt. An Act adjourning the Session to the first of February gott a first reading, then wee were adjourned till Thursday that the commitie may have tim to sitt to-morrow. I hope against the end of Janwary at furthest the Treatie will be ratified here, so I hope all that are concerned for the Union will now be prittie easie.

I send you inclos'd the ansuer to the Scots merchants att London their letter. It minds me of a storie of tuo gentlemen who are knowen here. They were argueing about som point or other. Sayes the one to the other, If you'l take notice I'le convince you that you are in the wrong. Convince me, sayes the other, by heavens, I defay you, for I will not be convinced. I see no other reason this ansuer gives. I doubt not but Mr. Black is the author of this as he was of the Considerations of trade, which the mertchants had seen, and its lyke the rest of his wrytings and conversations on the subject of the Union. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706[-7], February 1. Edinburgh.—The Register sends you the scroll of yesterday's minuts and by them you'll see the adjourn'd debate was resum'd, concerning the commissioners' expences at the Treaty. My Lord Marchmont insisted that the commissioners' expences who were at the last Treaty shou'd allso be taken under consideration at the same time. No body spoke against the last commissioners' expences except some of the Squadrone, and they did it but faintly either, some proposing that it shou'd not be on the equivalent and others that was demanded was too much. My Lord Marchmont particularly insisted on this last. The treaters themselves said nothing, but some who had been friendly to them insisted for the vote, Approve the Duke of Argyll's clause or not? Those who have all along opposed said nothing in this affair, nor did they vote in it. The Justice Clerk at last said that he thought 300 libs. was enough for a gentleman, and in porportion to a nobleman 600. Most of the Squadrone went into this and seconded it, but the Duke of Argyll and those who had appeared for his resolve stuck by it. At last the vote was put, Approve of that resolve or Alter, and it carry'd Approve by a vast plurality, there being only about 20 for Alter. After this my Lord Marchmont and some others presst that those on the former commission shou'd have the same fate, and after some debate it was proposed that there should be allowed to them 500 to each nobleman, 300 to each barron, and 200 to each burrow. This was voted and approven allso, so you see the Parliament has been pretty liberal. I was very indifferent in all this matter and had no hand in bringing it in, but since it was once spoke of in the House I thought indeed either to reject or diminish the summes (since they were not extravagant) would have been a reflexion both on the Treaty and treaters. I have no quarrel nor picque at the Squadrone, and have endeavour'd to live well with them ever since I came down, even before they declar'd themselves for the Union; but their manadgment, in this affair I can not understand, for they show'd themselves against giving the treaters anything at all; but they found t'other day that they were not able to carry that, so yesterday they went into that proposall of lessening the summes and clogging it, which they soon saw they were not able to carry, tho' the treaters said not a word. Upon the wholle matter the way of the Squadrone's appearance in this affair shows that they have not forgot the old differences and animositys and want but ane occasion to resent them. This I'm sorry for with all my heart, for I had really forgot all former differences and was glad that now we were to be on a foot where we cou'd all live good friends without partys. But enough of this affair.

The Duke of Argyll went away to-day. I'm affraid he is not in good humor with any of us, as you'll soon see when he comes to London. He has put himself so much in his mother and brother's hands that they turn him against us when they will upon their own views. Tho' he seems not pleased with us he is in with nobody else, which is one comfort. When he comes

to London I know he'll take the wholle praise of the carrying the Union to himself. He did his part very well indeed, but that he was the only doer of it nobody can averr, for 'tis known that our business was all lay'd and well begun before he came. He now pretends that tho' as ane English peer he has priviledge to sit in the House of Lords, yet after the Union he can elect the 16 peers from Scotland, and grants that any of the Scots peers who after the Union are made peers of Brittain can not. This to me I confess looks pretty odd, for since he can not be elected I see not how he can elect; but if any of them get the priviledge both ought certainly to have it. However he takes this very high, and told the Commissioner last night that if it went against him in the House he would either be ane English Duke before the Union or quitt the Queen's service; and by this he would after the Union have place of the Commissioner or the Duke of Hamilton, tho' the Queen were pleased to give them the priviledge of sitting allways in the House of Lords. This would be very hard on them, and I'm sure not for the Duke of Argyll's interrest to bring such ane odium upon himself and his familly, since they have the place of him now; and at this time the Commissioner wou'd not expect to be put back from the place he has. What wou'd this signify to the Duke of Argyll, for after the Union he's a Duke of Brittain however? I really believe this point he's affraid of will go against him in the House, for most people think it unreasonable and have declar'd themselves in it; and if it go on he'll certainly be at the Queen to be made ane English Duke before the Union, which made me write the story so full that you may put the Queen on her guard in case he surprize her with it. And should her Majesty grant it it would be hard upon other people and be of ill consequences for her service; which is the only thing makes me concerned in it, and I'm sure out of no design against the Duke of Argyll. It is not amiss that you should acquaint the Treasurer with it too. Since the Queen's affairs keep her servants in Scotland so that they cannot be the first at London to give her Majesty account of things and persons here, yet I hope her Majesty will keep ane ear for them, and delay taking measures in her business here till they have the honour of waiting on her, which I'm sure will be for her Majesty's ease and interrest. One thing the Duke of Argyll is angry at us for is that the Commissioner and some of us would not concert a list of the 16 peers to be chosen for the first Parliament of Brittain and go soon into the election, and there to seclude the Squadrone or a part of them, which they take alike ill. This we could by no means agree to, for it would certainly break us all entirely either with the Squadrone or the Duke of Argyll or perhaps with them both, or others of our friends; therefor told him plainly that the longer that was a doing the better. Come the election when it will, I'm affraid (I may say certain) of great trouble in it, and that a great many will be disoblidg'd by it is most certain; so the longer that is put off I'm sure 'tis the better for the Queen's affairs.

Collonell Murray, of the Guards, spoke to me t'other day of his brother James, who is in Morpeth jail, desiring me to write to you of him to see if it were possible to get him pardoned. I told him that I believed it was not in my power to do him any service. Upon the Register's account and Jock's, I wou'd be glad he were not hanged, but I confess I would be allmost ashamed to speak for him, and I believe so would you. However, I thought I wou'd tell you this. *Copy.*

The Earl of Mar to Sir David Nairne.

1706-7, February 1. Edinburgh.—You may remember that when we were at London my Lord Rosebery askt of the Queen to be made Chamberland of Fife for life, with a pension of 300 libs., which now he has only during pleasure; and when the Queen scrupled this, he proposed it heritably with a pension only of lib. 100. This the Queen would not grant either, but said after the Parliament she would think of it. And Roseberry said to the Treasurer that he would not speak of it untill the Parliament was over, which I know he will not do; but he's very desireous the Commissioner should move in it again as from himself. He has given me his signature drawn both ways, and I have spoke to the Commissioner of it. Roseberry has indeed served very honestly and firmly, therefor the Commissioner would be very glad that the Queen show'd him a mark of her favour; and desired me to transmit the signatures to you that you may lay them before her Majesty. When the Queen scrupled both those ways before, some of us askt Roseberry how he wou'd like it if the Queen should make him Chamberlane of Fife for life with a pension of 100 libs. for life too, and the other two which he now has continued during pleasure. This I do think more reasonable than any of the ways he proposes it. But he was not at all pleased with it, nor would he be pleased with it now, and he has told me that he wou'd rather want it. So the Queen's doing it so would be giving away a considerable thing, and yet it wou'd not be taken for ane obligation, which makes me think it is not adviseable for the Queen to give it so, since he to whome the favour is to be given is of this mind. But lay all before her Majesty and let her do it in what she thinks fit. Of his two ways the first is certainly most for the Queen's interrest, I mean for life with the pension of 300 libs.

I send you ane other signature to be lay'd before the Queen which I hope her Majesty will approve of and pass. The signature itself will inform you of the matter of fact, so I need say the less. There being such a scarcity of ministers at the Revolution, was the occasion of so many bursaries of theology being erected; but now there is no such reason, all the churches being planted, and the great number of bursarys makes mean poor people follow that study, and so our ministers come to be made up of the scumme of the people, which is certainly a great loss. *Copy.*

Doctor John Arbuthnott to the Earl of Mar.

1706-7, February 1. London.—Your Lordship will have a particular account of what was done in the House of Commons to-day, which was to appoint three dayes in a week to go throw the articles, which they are to debate article by article, and it is not so much as doubted here but they will all be past without any amendments. The Archbishop of Canterbury brought into the House of Lords a Bill for the security of the true Protestant religion in England; and indeed yow cannot imagine how much the candour of yow worthy gentlemen who have carry'd through the Union in Scotland is commended, first in rejecting all the bigott proposals of the clergy with yow, and leaving with the same justice the security of the Church of England to their own Parliament. I telle them never blame us Presbeterians if ther kirk is not secure, since they have it in ther own hands. And indeed some of the very highest of their Churchmen have owned that this is so fair dealing that they beleive the Scots are willing to leave nighbourly and upon the square with them. In a word, you have aquir'd a great dale of reputation to our kingdom of constancy, courage, wisdome and moderation, in the conduct of this whole affair, which God bring to a happy conclusion. Jo. Arbuthnott.

The Earl of Mar to Sir David Nairne.

1706-7, February 5. Edinburgh.—The affair I wrote of in my last concerning those who are peers of both kingdoms having a voice in chusing the 16 from Scotland was proposed by my Lord Rothes in Parliament first by way of question, and then Lord Marchmont seconded him. We were unwilling to say anything of it since the Duke of Argyll took it so hot and thought it personally design'd against himself, tho' I'm convinced, as a great many of us are, that they have no right to chuse the 16; and by our not speaking it was like to be let drop without our saying anything of it. But my Lord Ilay spoke to it and pleaded their right to chuse. This in a manner begun the affair again, and severall spoke against them. It was like to come to a vote, which I was very unwilling of; so with concert of some of our friends I proposed that there should nothing at all be said of it in the Act, and that the debate should be let fall, for if those Lords had no right the saying nothing of it did not give it them, and if they had right I thought it was unjust to take it away from them. This proposall took very much in the House; but some who appear'd most against their having right would not yield to it, so it was voted as you'll see by the minuts and carry'd to say nothing of it; which I think is the safest way, for it gives them no right unless they had it however. But perhaps it may some time or other be disputed in the House of Lords, who are certainly the most proper judges of it. You'll see by the list I send you of a vote where people voted much the

same as in this that there were but few against my proposal. All the Squadrone were, whose number of all the three estates you'll see as markt to be but 15. We have had great difficulty in adjusting the list of the 16 peers to be chosen, a great number pretending to it, and four or five and twenty of them of whome we could not leave out one without disobliging extreamly and making ane open breach with them and their friends. The Squadrone pretended to five (which is all the peers they have) and we saw it would be breaking with them to refuse any of them, which of all things we thought was to be avoided. My Lord Marchmont was one of their five, and the Duke of Argyll told us that if we nam'd Marchmont he wou'd take it very ill and neither he nor his friends could join with us. So this made a breach with one of those sets certainly. The Duke of Argyll askt to have in the 16, three, which with the other five of the Squadrone, makes eight. Evrybody agreed that the Duke of Queensberry, Seafield, Montrose, Mar, and Loudoun should be of the number, so there remain'd but three to please all our friends, as Leven, Weems, Stair, Glasgow, Roseberry, Dupplin, and a great many others. This made us tell the Squadrone that we saw such difficultys in the choice and that none would yield to ane other, that if we came to the election there would certainly be open breaches betwixt people, which might be of very bad consequence to the Queen's affairs; and therefor if there were not some temper found in the affair there would be a necessity of puting the election off untill the write did issue after the Union took place, and that the Queen might then appoint the peers to meet at one place, the barrons at ane other, and the burrows at a third, to make their elections; which tho' it had inconveniencys yet they were probably less than open breaches just now, and against that time of electing perhaps there might be more room for people and less inconveniencys of breaches tho' they should happen. They knew (I meane the Squadrone) that they could not be chosen without us, and that if we pleas'd we could seclude them and yet make up the 16 of considerable people who had all been for the Union; so they bethought themselves. Withall we told them that our proposing this expedient was only to keep union amongst us, and that afterwards there might be more room for them; but we wisht that whatever was done in this might be unanimously as we had done allmost in evry thing else. My Lord Montrose did indeed take a great deall of pains to bring this affair to some temper, and so did others of us. On the other hand some even of our own friends (who I do not care to name) wisht nothing more than a breach with the Squadrone and that we should seclude them; but the Commissioner and I and some others were mightily against this. Upon the wholle matter we talkt fully this morning at the Abbay amongst ourselves and with the Squadrone too, and they came to see how much difficulty there was in it upon all hands, and they knew it was in our power whether to chuse any of them or not; so we all agreed and they told they would take what list the Commissioner pleas'd to give them, whatever the

persons were. After this we adjusted the last clause of the Act which was not done before, appointing the election to be before the Parliament rose. Since they have done so, I hope the other people will be easyer too with their pretensions and all breaches be avoided, which will be a mighty comfort to us and a great ease to the Queen and advantage to her affairs. And I hope old differences shall now be forgot, and that all we who are upon the same foot and have concur'd in the measure shall live in friendship together, free of all jealouseys and divisions. I'm sure I intend it for my part; tho' I confess the Squadrone have acted a pretty odd part in several things o' late and not very wise I think, for they set themselves up as a distinct party and show'd a backwardness and a jealousie, and even opposed anything that concerned any of us; but there's ane end of that I hope.

When Marchmont found there was such difficulty in the election, he came to the Commissioner and desired that he might not be named one of the 16, so we are eased as to him. Since the Squadrone have refer'd it to the Commissioner I believe he will put three of their people in his lists, Tweedale, Roxburgh, and either Rothes or Hadinton, which number must certainly please them, for it is full as many as come to their share, but I really think it is right to do so. There will be a great deal of difficulty in pleasing all the rest of our friends, but we shall do the best we can, tho' whatever way we do some will be disobliged. The Squadrone is the name the new party gets here.

I received the order you sent me under the Queen's hand for delivering to the Duke of Argyll that gun which belonged to his familly and is in Edinburgh Castle. I told my Lord Ilay of it, the Duke being gone. He said he would write to his brother of it, but he believed he wou'd not take that order untill he saw how the Queen determined his other pretension. I'll long to hear from you what humor the Duke of A[rgyll] is in when he comes to London, and what account he gives of our affairs here. *Copy.*

Sir David Nairne to the Earl of Mar.

1706-7, February 8. Whitehall.—With great satisfaction I by this acquent your Lordship that this day all the Articles of Union agreed to there were approved of in the committie of the whole House, and the report is to be made on Tewsday next, and a motion for bringing in a Bill on them, soe that now I look on the worke as finished. There was not a division on any question, nor any material speches.

The Earl of Mar to Sir David Nairne.

1706-7, February 8. Edinburgh.—My last letter was so long that I could not tell you the full account of the part the Justice Clerck acted in that affair of secluding the peers eldest sons from representing shires or burrows. It was so extraordinary

that 'tis fit you know it and yet I allway put off writing it, being willing to forget those things; which I see he does not, but endeavours to cover his own faults with accusing others. The story is this: That day in Parliament that we came first to speak of the proportions the barrons and burrows was to have of the 45 there seem'd to be great difficulty in pleasing of those states. The Justice Clerck went up to the throne and told the Commissioner if he would then adjourn and not sit next day, he wou'd undertake to adjust the affair. The Commissioner took his advice; and next day the barrons met in a tavern and the Justice Clerck with them, and they chused him to preceed. Fletcher propos'd the excluding the peers eldest sons, but after it was spoke to some time the plurality of the meeting said it was needless to make any new rules as to that, so it seem'd to be let fall. But the Justice Clerck toss't up the ball again and insisted on it extreamly. He was seconded by severals, and at last almost all the meeting agreed to it by their vote in a manner being askt round by the Justice Clerck. They next agreed to send to the burrows, who were met at ane other house, to offer them 15 if they would concur with them in excluding the peers eldest sons. A great many of the burrows agreed to it and gave their promise to stand by it in the House. Here were two states join'd in a combination against the third by ane officer of state, which as it is not very decent is as litle legal, and how it can be answered for I really know not, for such preingadgments out of the Parliament House entirely inverts the foundation and constitution of Parliaments and was never done before in such a form and openly own'd as they did this. I believe the Queen wou'd not think this was good service done her. We were at a great deal of pains to keep this matter from being determined against us, and with difficulty enough avoided a blow; at which the Justice Clerck is so angry that he does not behave towards us as he has done all the Parliament before, and by what you wrote me it seems he pushes his resentment a litle further. But I can not conceive what he cou'd say against us upon this score. This story is so literally true that all the Queen's servants will tell you the same, and so will evry body else. You need not tell of any particular person you had this from, but it is fit so remarkable a thing should be told to those with you we are concerned with.

The Commissioner and the rest of us are mightily plagued with this election, and that a great many will be disoblig'd is most certain let us do what we will. *Copy.*

The Earl of Mar to Sir David Nairne.

1706-7, February 13. Edinburgh.—This day was appointed for the Parliament to make the elections of those to serve in the Parliament of Great Brittain, which was done accordingly. I wrote to you some time ago that the Commissioner and the rest of the Queen's servants foresaw great difficulty in this matter, and therefor were forced to have some thoughts of puting the

elections off till after the Parliament to prevent breaches amongst those who had appeared for the Union. This we only spoke of as ane expedient, but told, too, that there might be inconveniencys in it. Our new friends did not like this, and told the Commissioner rather than the elections should be put off they wou'd take what list the Commissioner shou'd give them; and my Lord Marchmont in particular desired of the Commissioner that he might not be named. Upon this we agreed to make the elections before the Parliament rose, and ever since the Commissioner has been doing all that possibly he could to adjust a list that would be pleasing to all partys who have been for the Union, and that we would be able to carry, but the difficultys in that were so great that he did not fully determine it till last night. Some of us a good while ago thought that it might be adviseable to name the Duke of Hamilton; but after that the Commissioner told us that he understood it wou'd not be acceptable above, so ever since we have taken pains to prevent his being chosen, which was very hard to get done. The Commissioner told us that it wou'd be acceptable to some friends with you to have my Lord Ross and Earl of Killmarnock two of the number. The first we saw would be very hard to bring about, and the last impossible; however, the Commissioner resolved to see what could be done in it, tho' in the meantime he could give neither of the two assurance of being nam'd. We brought every body who had been for the Union to be content to name three of the new party beside my Lord Montrose, who is very intimat with them; but it was not possible to get room for the other two lords of that part without disoblidging a great many of our old friends by excluding them, by which the wholle list might be endangered, and the Duke of Hamilton had by that certainly been brought in. The Duke of Argyll was earnest to have the Marquis of Lothian and the Earl of Ilay, so those two there was a necessity of naming. He was desireous of Sutherland too, and he being one of the treaters and representing a very old familly, we could not leave him out. Evry body agreed and were positive to have the Commissioner, the Chancellor, the President of the Council, the two Secrettarys, and the Treasurer depute of the number; those make twelve, and my Lord Leven, who could not be left out, makes thirteen, so there remain'd but three to satisfy all our old friends. Evry body must acknowledge that my Lord Stair behoved to be one both upon his own account and his father's. My Lord Weems is in the Queen's service in a considerable post, was a treater, of a good familly and of interrest in the country, and he's the only relation the Commissioner has amongst them, upon all which reasons he could not be left out. Three others who had been very serviceable in the Union pretended to be of the number too, Lord Northesk, Lord Roseberry, and Lord Dupplin. There was but room for one more, so two of them behoved to be left out. It was thought my Lord Roseberry had the most favourable pretensions of those three, for he had been on both Treatys and ever firm to the present

servants both before and since his being a peer, and was extraordinary desireous to be one of the sixteen. Lord Ross presst the Commissioner to promise him to be nam'd these eight days, which the Commissioner cou'd not then do, not being sure which to shift out for him untill it shou'd come to the last. It seems his Lordship had not patience to wait, so he resolved to make himself sure, and for that joined with my Lord Beilhaven and the rest of the opposers to name him and he would name them. Upon this he procured several meetings, especially of the lord barrons and vicecounts, to whom he represented that it was ane affront to them if none of their rank was named. Few of the lord barrons and vicecounts who had been for the Union went into this project, but all the opposers did. These meetings were like to have broke any list that could be concerted at the Abbay, but with pains we prevented most of the bad consequences they might have had; but after my Lord Ross's acting this part it was impossible for the Commissioner to name him, so Roseberry was put in in the place that yet wanted to be filled up, and the list was but fully concerted last night late; and this morning the Commissioner gave it out to the peers (who had been for the Union and who he had desired to be at the Abbay) as I send it you inclosed. By it you will see there is a conjunction made of all partys who had been for the Union, and unless it had been so it could hardly have carry'd, and the Duke of Hamilton had certainly been elected. When the Commissioner gave out the lists to-day, notwithstanding what the new party had said to him before (which was after they knew that we cou'd name but three of them) they told him that there was severall people in that list whom they could not name, and some out of it whom they would name, so that they would give in such a list as they would be answerable to the Queen for. This was surprizing after what had formerly passt, but there was no help for it. When we came to make the election to-day, my Lord Montrose did not name Lothian nor Roseberry. My Lord Tweedale and the other four of the new party did not name Lothian, Rosebery, nor Hay, so these three lords did not name any of the new party either. All the new party nam'd my Lord Crawfurd, thinking by that to give him more votes than Lothian or Roseberry, and so he might come in place of one of them; but this did not succeed as they intended, for by all their voting for Crawfurd and some others voting him by chance who did not dream of his carrying it, he came to have more votes by two than Rothes, by which Rothes is excluded and Crawfurd comes in his place, which is the only difference betwixt the Commissioner's list and that which was carry'd. The new party is very angry at this, but it is entirely their own fault, for none of us failed them but stuck closs to the Commissioner's list (where three of them were) except such who were in that list whom they first left out in their nomination. Tweedale and Roxburgh carry'd but very scrimply, so had the Commissioner put more of the new party in his list than three it had disoblidged more of our people and consequently made

them against the Commissioner's wholle list, by which the wholle new party would have been excluded and some of our old friends run a hazard of being excluded too; whereas had the new party taken the Commissioner's list entirely, their three had been carry'd certainly. The new party have mistaken their measures in this extreamly, for they had no way of being named at all but joining entirely with the Commissioner's list, but they did not and so came of it. Evry body was surprized with Crawfurd's being chosen, for few expected it. Severalls of the opposers did not come to the election, but had they all come by the new party's leaving out some of the Commissioner's list and leaving out their three, not one of the three had been chosen. So upon the wholle I'm sure the new party have no reason to blame the Commissioner nor the Queen's servants for my Lord Rothes's disappointment; for not one of them failed them but those who they failed to first. By this jumbell it is pretty odd that the Duke of Hamilton did not get it at some chink. Had the Commissioner given out the list sooner than this morning by which the new party's dividing had appeared sooner, he had certainly got in; but it was so near the election before the division was known that the Duke had not time to work. My Lord Ross is prodigiously angry and certainly will complain to his friends at London of us all, and will give some other turn to his being none of the number; but I have told you true matter of fact by which you and they will see it was impossible for the Commissioner or the Queen's servants to have behaved otherways towards him. He voted for the Duke of Hamilton and not for any one of the Queen's servants but the Commissioner, which all the opposers did too. Pray advertise those lords who are Rosse's friends at London of all this that they may not be imposed on by his stories. After the Commissioner got the recommendations for Ross, he really inclined to name him if it had been practicable, but unless he had left out the new party it was impossible, both because it left so little room for other people of far greater interrest, and his being named would have disoblidged a great many who bore their being left out because nobody was prefer'd to them but who were of higher rank and greater interrest, and this would have disoblidged them so that they would not have taken the Commissioner's list, which might have disappointed the whole. My Lord Dupplin was not in town, but his affairs in England which oblidges him to be at London allmost evry winter, and being all along for the Treaty and one of the treaters, made his friends think it was reasonable that he should be named; but there was so litle room that I saw the Commissioner could hardly get it done, so I begged of the Commissioner to name him in place of me. The Commissioner told me that he could not do, and though he should leave me out yet others would not. When I saw that this offer of mine could not do, and that the Commissioner was so much straitned, I told him to make things easy I would not insist more for Dupplin, tho' his pretensions were none of the worst. I hope the Queen and my

Lord Treasurer will approve of this and that Dupplin shall not fare the worse for his not being one of the sixteen, since I yielded his pretensions to make room for others that they might not be disoblidged. Notwithstanding of all this jumbell I hope there will be no ill consequences from it. The new party will certainly see it was their own fault and none of ours, so I'm sure they ought not to be angry at us, and we are still as willing as ever to live well with them. I know there will be a great many different representations of all this affair given, which made me give you so particular and full ane account of it that you may inform her Majesty truly as it all fell out.

Yesterday when the Parliament was sitting we got your letters by the flying pacquet giving the agreeable news of the wholle articles of the Union as passt here being approven in the committy of the wholle House. You can hardly imagine what joy appear'd in those who had been for the Union and what a damp in those who had been against it, upon our telling the news in the House. I hope your next will tell of the Act ratifying having got a first reading, and e'er long of it's being fully concluded, which I think will be a very joyfull day.

I have sent you a list of the peers present at the election or who had any votes, with the number of votes each had. You'll see Ross has 19, which was by his joining with the opposers and agreeing to vote them if they voted him, which both he and they did; and those of the Commissioner's list whom the new party did not vote voted for Ross to get his votes. Had it not been for these two accidents Ross had not had six votes. I have allso sent you a list of those chosen of all the three estates. There is but one chosen of the barrons and one of the burrows who appeared against the Union, Sir David Ramsay and Hugh Montgomery; but Sir David Ramsay was one of the discreetest opposers and not against the wholle either. *Copy.*

Sir David Nairne to the Earl of Mar.

1706-7, February 15. Whitehall.—The House [of] Lords entered this day on the consideration of the Articles of Union, and the Queen was there. Privatly, I have seen the Earles of Sunderland and Wharton since, and they say there was noe speeches that were of any consequence. My Lord Everham spoake against ane Union in generall which was little minded. The first article was read and my Lord Nott[ingham], my Lord Garnsy and some others spoak mightily for postponing it for the same reasons were given there. There was a division, and 71 were for proceed and 22 for postpone. Then the same people made speches against it upon account of altering the name that it would subvert the whole laws, just as was done in the House of Commons. But in short they have approved five of the articles without a division but on the first, and have appointed to proceed further on Wednesday. Your Lordship will receave by this pacquett a green ribbon I think as good as ever I saw but a litle dearer.

Sir David Nairne to the Earl of Mar.

1706-7, February 20. Whitehall.—The minuts will tell your Lordship what the Lords have done. They could have gone faster but they spin out the time that the Bill from the Commons may be sent up before they are ready to make a report, because on a report there must a Bill be ordered to be brought in or it is like dropping it; soe that they propose two sittings more in a committie to goe through the articles. The Bishop of Salsburry is chairman in the committie. There were long speeches made against the land tax for Scotland as too litle, and a division upon it, but cary'd to approve by about 50. The second reading of the Bill in the House of Commons is put of till the morrow, this day being spent on reports about wayes and means.

The Earl of Mar to Sir David Nairne.

1706-7, February 22. Edinburgh.—You would hear from those who were here on Munday last that the Parliament past an Act remitting the affair of the teithes to the Sessione in place of a commissione as formerlie, and an Act concerning the redemption of Church lands. There is now a memorial sent you in relation to this last Act to be laid before the Queen. Because the Commissioner is not instructed to pass it, so I need say but leitle on that head. The Croun never made any thing by redeeming of those lands, nor cou'd doe it without running more hazard than triple the vallue. Those lands are now so consolidat with the subjects' propertie that they look upon them fullie as much their own as any land they have, and offering at some of their redemptions was non of the least causes of the troubles in King Charles the 1th time. This Act will sett people's minds att ease about this matter, and in after reignes prevent any courtiers oppresing any of the subjects. Those with a great maney other reasons makes me think that this Act is of no loss but advantage to the Croun, which makes us hope the Queen will be pleased to instruct the Commissioner to pass it. I have very leitle personal intrest in this affair myself, but my Lords Roxbrugh and Haddington and several others are deeplie concerned. Yesterday the Parliament [past] an Act prorogating the suspension of the clause in the Act of Security for randevouzing until the 1th of January nixt betuixt and which tim I hope the Parliament of Great Britain will take effectual courss with that matter. The Duke of Hamilton went out of the Houss when I offer'd this Act on Thursday to gett a 1st reading, and did not com to the Houss yesterday when it past. But Lord Balheven, Fletcher, and Kilmeronock spoke against it, tho' they had but fue seconds. Wee are plagued with Acts for tuo pennies on the pynt of aill in favours of particular touns, and some one or other always of intrest appears for them, so they becoming personal favors fue people appears against them for fear of disobleidging, by which maney of them have past and a

great maney more lying before us and prest very violentlie. There was a necessitie of passing some of them, but they are reallie wrong and a hurt to the countrie, which makes me wish that a stope may be putt to the passing any more of them, which will be hard to gett done if the Parliament continow sitting. The Parliament of England proceeds so well that I hope it will quicklie make it unnecessary for us to sitt any longer, and I wish heartily wee were up, for unless it be to order some things about the publick debts and the money of the Affrican Company (which will be done in a day or tuo), ther's no more remaines necessarie for us to doe, and whatever hurt we may doe I beleive wee can hardly doe more good. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706-7, February 27. Edinburgh.—The new party had got themselves all chosen to be of the number of those whom the Affrican Company named to receive their mony, and they were all along directors too, so as their manadgment may have been good, yet if otherways who could have known it if the report had been gone into? By so much mony being put in their hands and others who have litle dependance on the Queen they would have had more influence than all the Queen's Government here; so I'm sure that method is not proper. We incline to make the manadgers of the equivalent ease those gentlemen of that trouble, for since the Queen in a manner gives that mony it is reasonable those who are to have the manadgment of it should be of her Majesty's naming and have their dependance there, and that their influence should go for her Majesty's service; and this I hope the Queen and our friends with you will approve of. But the Squadrone are excessively angry at their disappointment and cannot contain themselves. The Justice Clerck joins with them in this too, as does Salton.

Do not those gentlemen the Squadrone behave oddly towards us? They have been baulkt so often that I think they may be weary of it. Notwithstanding of this carriage of theirs we are still willing to live well with them, and still behave so towards them, tho' I believe few would do so but ourselves, after they have so often of late show'd us such coppys of their countenance and good will. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706-7, February 27. Edinburgh.—This flying pacquet is sent by the Commissioner with a memorial from his Grace and the rest of the Queen's servants in relation to the Customes and Excise here after the Union commences, and allso to the altering the coin currant now in Scotland, conform to the articles. I thought to have wrote to the Treasurer on these subjects, but since there was a memorial sent which is our wholle oppinions on these heads I thought it best to ease the Treasurer of the trouble of my letter, which would have been

but repeating. The memorial is so full that I need add nothing to it, only I hope you will take pains to inform the Queen and my Lord Treasurer of the absolute necessity of sending down in specie that part of the equivalent which is desired for changing the coin and that very speedily, else a great confusion will of consequence follow, which may be of dangerous consequence and give people here a handle of complaining and grumbling at the Union. If the Queen be pleased to advance this part of the equivalent, it should properly be payed in to the manadgers of the equivalent, but those are not yet named, and I'm affraid there would be inconveniency in naming them or passing that commission untill the Queen's servants come up, for we are not yet fully resolved in what terms it is most proper for the Queen to give it, and that will take some time to adjust; and beside a great many people will be desireous to be of it, and disoblidged if they be disappointed. And I believe it will not be thought adviseable that the number of those persons be many nor their sallarys great, all which makes it necessary that this affair be well thought of before it be done. The mony to be sent down can not wait this delay, therefore I think there will be a necessity of lodging it in the hands of the Treasury, and they to be accountable to the manadgers of the equivalent after the Queen names them. I believe the Parliament of England is thinking to make new appropriations of parts of the Customs and Excise for payment of debts which are now to be contracted, by which there will be a new equivalent answerable to Scotland yearly, in which case it is not fit to speak to the Treasurer and others concerned, that when the Parliament comes to give a fond for paying the first equivalent to Scotland that it may be made so large that this new equivalent may be brought from Scotland as the first was, if it be thought fit? I beg you may hast back ane answer to the memorial, for the Parliament here must sit untill it come, and we are extreamly weary of it and we can do litle more good. Yesterday there was a report made from the committy to the Parliament concerning the mony payable to the Affrican Company, of which I hope the Register sends you a coppy (as I know he does of that concerning the coin). It appoints the mony to be paid in to such people as the Company shall appoint, and continues them and allso a committy of Parliament after the first of May, all which the Queen's servants (at least most of them) thought improper. The Company presumed so far on this report, tho' not made to the Parliament, that they actually choosed those who were to receive the mony from the manadgers of the equivalent, and they are all of one sett. All this affair lookt odd and made many people complain that by this they would want their mony long and have greater difficulty of geting it than from the manadgers of the equivalent; and beside they thought it more just and reasonable that the books of the Company should be inspected by others than by the directors, since the mony ought to be repayed by what was instructed by the books to have been payed in. The continuing of the Company as is done in a manner by

this report we thought inconsistent with the articles and would give umbrage in England. The naming a committy of Parliament to continue longer than the Union commenced lookt odd too, so we concluded that the thing behooved to be better thought of before we went into it. So severalls of us proposed that the report should be printed and delayed untill next sederunt. When this was proposed, the wholle new party fired against it and seemed mightily picqued. It came to the vote Proceed or Print, and carryed the last by a great plurality. The Parliament was immediately adjourned till Monday, and the Commissioner has appointed the Queen's servants to meet with him at the Abbay to-morrow to talk of and consider this report. The report concerning the coyn was delayed till we get ane answer to the memoriall that is now sent. ℔ The time of the Assembleys sitting now draws near, which is about the beginning of Aprile, which made the Commissioner talk of that affair to the rest of the Queen's servants, that they might considder who is the fittest person to recommend to the Queen to be Commissioner. We were all of oppinion that the Earl of Glasgow, who was it last, is now the most proper. I believe the Commissioner writes of this himself, and I doubt not but the Queen will be of the same oppinion. It is fit that the commission be sent down as soon as can be that he may be preparing both himself and those he will have to do with, tho' the commission will not be made use of untill the time of sitting come. We are preparing a draught of the instructions and the Queen's letter to the Assembly, which shall be sent up in time, but the passing and sending down the commission needs not wait for them.

The Parliament being now near a close, you would speak to her Majesty of what of her servants she will be pleased to call up. I believe it will be necessary that they take journy as soon as possible after the Parliament is up. The Commissioner thinks that the persons proper to be called are, beside himself, the Chancellor, the President of the Council, the two Secrettarys (who go in course), and the Treasurer Depute. My Lord Leven expects allso to be called, and the Commissoner thinks it reasonable he should, so these make seven. The ordinary way of doing this is by a letter to the Commissioner from the Queen ordering him to come immediately to attend her Majesty and to bring such people with him. I believe the Queen will think this fit for her service, and if she do you would prepare a letter accordingly for her Majesty to sign, and the sooner it be sent to the Commissioner the better, and he may keep it by him untill the proper time of producing it. Glasgow can not go untill the Assembly be over, if the Queen think fit to make him Commissioner to it (as I doubt not but she will), so there must be either a separate letter calling him as soon as the Assembly is up, or else a separate paragraph in that same letter; but his call would be at the same time with the rest, and in the same manner, I mean by a letter to the Commissioner. All those things you would lay before the Queen as her servants' humble oppinion. *Copy.*

SIR DAVID NAIRNE to the EARL OF MAR.

1706-7, February 28. Whitehall.—This day the Union Bill was read a third time in the House of Commons and past, and it will be caryd to the House of Lords the morrow. There were 274 for it, 196 against. This allon I think worth a flying pacquett. There were some debats and arguments used to prove it of disadvantage to the Church, the trade and the laws, but more were of ane other oppinion.

HOLOGRAPH LETTER from QUEEN ANNE to the EARL OF MAR.

1707, March 4. Kensington.—I hope you will excuse my not thanking you sooner for the good news you sent me in yours of the 17th of January of the Treaty of Union being ratefyed in the Parliament of Scotland, the continuall hurry of business I have bin in this winter being the cause of it. I can now in return tell you with great satisfaction that the Treaty is concluded heare, and I intend, an it please God, to give my assent to it on Thursday. The pains you have taken in bringing this great affaire about deserves more thanks then I am able to express. I do assure you I am truly sensible of your faithfull service, which I shall be ready to shew on any occasion, and will ever be with all sincerity, your very affectionatt freind, ANNE R.

THE EARL OF MAR to SIR DAVID NAIRNE.

1706, March 4. Edinburgh.—I think the Union now safe since 'tis sent up to the Peers. Yesterday in the Parliament here we were again upon the affaire of the Affrican Company, and we offered a proposal about it. The Squadrone were as angry as could be, and spoke pretty picquishly and not over mannerly. Roxburgh was not there, he's in the country; I know not whether he will be with us to-morrow. After some debaet it was put to the question Proceed upon the report of the committy or Print the other proposall and delay going upon the matter till next sederunt. The last carry'd by a great plurality and some time after the Parliament was adjourned till to-morrow, and then I see we will have a batle. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706-7, March 5. Edinburgh.—The Parliament has found allready the summe total of the Affrican Company not altogether right, and therefor remitted it back to the committy to be altered. I see that the wholle will turn upon this, whether the Queen, the Parliament, or the directors of the Affrican Company shall have the naming of the cashiers who are to receive the Company's part of the equivalent. If we get the summe total exactly stated in the Parliament of what belongs to each of the proprietars of the Company and that the directors nor none else shall have any handle or pretence by manadgement to delay or diminish the proprietars' payments, it is the less matter how it goes; but sure I am that it would not have

been right to take the summe total of the Company's mony upon trust, and let such a direction go to those chosen by the Affrican Company as the report of the comitty gives them. I'm sorry a certain set of people takes this matter so hot and so much to themselves, for what can be our concern but to see the thing rightly done to evry body's satisfaction, and none of the mony misapplyed, nor more taken out of the equivalent for that end than is justly owing by the order of the 15th article of the Treaty. *Copy.*

SIR DAVID NAIRNE to the EARL OF MAR.

1706-7, March 6. Whitehall.—This brings the great and good news of the Queen's haveing this day given the royall assent to the Act for uniting the two kingdoms, and this brings your Lordship a coppy of the Queen's spech at the doeing it. The guns at the Tower and in the Park fired when the Queen was in the House and rejoyceings are exprest in the usuall manner after glorious victory; and her Majesty thinks the Castle there should fire on receaving the news. I had the honor to see her Majesty give the finishing stroak. Her Majesty doe not desire the Parliament to rise there till the examplyfyed coppy arrive that it may be read in Parliament and ordered to be recorded, which evrie body here thinks is what ought to be. My Lord Register tells me it will be Tewsday night before it can be got ready to send.

THE EARL OF MAR to SIR DAVID NAIRNE.

1706-7, March 18. Edinburgh.—I wryt to you before I went out of toun that my Lord Loudoun in my absence was to prepair with my Lord Glasgow a draught of the Queen's letter to the Assemblie, and of the instructiones to the Commissioner; which they have done, and I have since I cam considered them and spoke of them to the Commissioner and the Queen's other servants. Wee all approve of them as they are inclosed. You will see they differ very litle from those last year. The time of the Assemblies meeting draws now pritty near, being 8th of Apryle, so it was thought fitt to send this by a flying packquet, and also to lett it be knowen that the messenger with the examplification arrived here last night. You wou'd take the first opportunitie you can to lay the inclosed pappers in relation to the Assemblie before the Queen, that her Majestie may give her orders about them and that they may be expead and sent doun by a flying pacquet as soon as possible.

The examplified act is to be presented to the Parliament to-morrow. I need say no more of it now, for I believe to-morrows night or nixt day ther will be a flying pacquet sent or the messenger with account of what is done in it. It is very fynlie done, but by the motion in cairying it most of the seal is broak; tho' that signifies nothing.

I send you here inclosed a coppie of the report of the committie concerning the publick debts, which has been presented since I went out of toun. It is a very odd paper and designed

as an accusation against the Goverment. The committie went out of their road to bring this matter about, for their bussiness was only to consider and report what classes of debts were to be preferred and so to rank them in generall, and it was the Treasuries bussiness to state the particular persones accompts. By the fault of the clarks of Treasurie their books are not indeed in so good order as they might have been, but tho' they had been in as good order as possible it was impossible for the committie to have stated every mans particular accompt in such a hurrie and so short a tim; so this report is plainly a designe to have som thing said which reflects on the Goverment. They were told of this before the reporte was made and that their stating every particular mans accompt and telling who shou'd be first paid and who last by name wou'd look invidious and be of ill consequence at this tim. But those gentlemen in place of minding this made their report as you have it here, and as you'l see brings in very mean people on the same foot with the officers of state. I'm told my Lord Haddington and Minto was the most violent in this affair. The last is growen so impudent that thers no endureing of him; you never saw any thing so choking. Roxburgh was but a day or toun since I went *(sic)*. The Commissioner tells me he disouns haveing any hand in this report, tho' some people say otherwayes. The reporte was done by a sub-committie, and Minto was the drawer of it. They meett where fue people knew, and brought it in to the committie when fue were present, so gott it transmited to Parliament. But I beleive as leitle notice will be taken of it ther as was of the last concerning the company's money. You shall hear what is done upon this afterwards. That and the Act concerning the company's money is all that now remaines for the Parliament to doe (except the ratifications) and those can hardly, I beleive, be ended this week; but I doubt not but the Parliament will rise the begining of the nixt. Thanks to heaven it is com to so good a close, but I assure you I'm heartily wearie of it as every body is, and I'm fully convinced how necessary it is for us to be soon att London. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706-7, March 18. Edinburgh.—I'm very sensible of the honour the Queen did me by hir letter. I thought to have wryt to hir Majestie by this post but it is too lait now, by my being taken up about the papers I send you, so I must deferr it to the nixt. . . . . I told no body of the letter from the Queen but the Commissioner, in caise others should have grudged their not haveing one too, and I should be sorry any mark of favour the Queen is pleased to show me should give her Majestie uneasiness by her other servants.

Considering the Squadrones cariadge all along and now in this affair of the report, I think our cariadge and disposition towards them will be thought pritty moderat and more than they intend towards us if it be in their power; but I cannot understand their politick in all this, they show themselves to soon. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1706-7, March 20. Edinburgh.—The examplified Act was read in Parliament yesterday and ordered to be recorded. The Commissioner made a short speech which perhaps he'll send you. The Act for the Union which passed here is to be proclamed to-day. God be thankt this great and good work is now so happily concluded. The Act concerning the Affrican Company's money past yesterday, of which probablie the Register sends you a coppie. The Parliament meets to-morrow, and then an overture for an Act concerning the publick debts will be presented of which a coppie shall be sent you. It will take tuo sederunts more I beleive to finish it and some other things, and so the Parliament cannot rise till the midle of the next week. The Councell has the proclamation about the coine to adjust and publish, which will take some tim, so I beleive it will be the weeke after the nixt before the Queen's servants can sett of from this, but wee shall make all the dispatch wee can. . . . . The gunns was fired from the castle when the exemplified Act was ordered to be recorded, and wee are thinking of the draught of a letter from the Parliament to the Queen, of which more per nixt. *Copy.*

THE EARL OF MAR to the QUEEN.

1706-7, March 20. Edinburgh.—I had the honour of your Majesties letter of the 4th last week when I was in the countrie seeing my poor wiffe, who I fear is a dyeing. Your Majesties goodness in takeing notice of any thing I have contrebute in forwarding of your service at this tim is more than I deserve. What I have done was but my duety; but your Majesties favourable acceptance of it shall for ever make me the more zealous and forward in what concernes your Majesties intrest, if it be possible for me to be more so than I am already. The examplified Act your Majestie sent doun was read in the Parliament here yesterday and order'd to be recorded, and this day the Act for the Union which past here is to be proclaimed. God be thankt that this great and good work is now come to be happily concluded, and it's being done in your Majesties reigne is no leitle satisfaction to me. I doubt not but your subjects will alwayes bliss your Majestie for this amongst the other great things you have done, and that your memorie will be famous and admired in all succeeding ages. There are some things yett remaining necessar to be done by the Parliament before it rise, and the ranking of the publick debts, which cannot be finished in less than tuo or three sederunts; so I beleive it will be the midle of the nixt week before the Parliament can rise. And as soon as possible after that your Majesties servants are to sett off from this to attend you, and they will make all the dispatch they can.

Since I hope to have the honour of waiting of your Majestie so soon, I will not trouble you much at this time with any thing which concerns myself in particular, only after the Union

I believe it will be thought fitt to have but one in the post that my Lord Loudoun and I are in, so one of us at least will loose the imployment wee have the honour to serve your Majestie in now. For my own shair I shall very chearfullie submitt to whatever your Majestie thinks fitt to determine about us, as I beleive my Lord Loudoun will doe too. I confess my greatest ambitione is to serve near your Majesties persone; but any of us that looses our present post I have no doubt but your Majestie will provide for in another. All prosperitie attend your Majestie, and as you have happily concluded this Union that you may leive long to see the good effects of it shall be the constant wishes of, Madam, your Majesties most obedient, most faithfull and most duetyfull subject and servant. *Copy.*

Letter from Sir David Nairne to the Earl of Mar.

1706-7, March 22. Whitehall.—This morning I received your Lordship's of the 18th by a flying pacquett. Our impatience now is to hear of the adjurnment of the Parliament and that your Lordship and the other servants are parted from Edinburgh towards this place.

I herewith send to your Lordship a letter to the Councell for putting the laws in execution against priests and Papists, a letter to the Generall Assembly, and two instructions to the Commissioner of the Generall Assembly, and a signatur in favours of the minister of Libberton which the Queen signed very freely. I hope I shall gett the ship redelivered that was taken by the Gairnsay privateers. I am now desired by my Lord Treasurer to gett a certyfycat signed by the propper person of what touns and borrows have the keeping of the standards of weights and measures. I know not who is propper to send such a thing except it be my Lord Register, for I suppose the borrows have that priviledge by Act of Parliament. However, your Lordship will communicat this and get what is necessary. These things are now makeing, as also what is propper for the mint, but I am much affrayd they will not be ready just at the time. I had notice of this only this day.

The Earl of Glasgow to the Earl of Mar.

1707, April 10. Edinburgh.—Sending a copy of the Assembly's answer to her Majesty's most gracious speech which he hopes will be found both dutiful and discreet. "There are a good number of warm brethren in our Assembly; yett I hope throw the influence of the more moderate and judicious brethren this Assembly shall be brought to a happy issue." He hears that Lord Crossrig is dying, and recommends Mr. John Montgomery for his judgeship.

Mr. David Erskine to the Earl of Mar.

1707, April 10. Edinburgh.—He has been desired by the Writers to the Signet to represent an encroachment upon their

privileges secured by Act of Parliament 1695, that no letters should pass the signet of the Session but what are signed by them, whereas in the late Act of Parliament in relation to the teinds it is provided that the Clerk Register and his deputy alone shall have the power of signing all summonses and other diligences. They ask his assistance for the vindication of their privilege. He forgot to tell his Lordship in his last letter "that the Privy Council emitted ane order last weeke to the directors of the banke discharging them and their servants to take in any more English money, which has occasioned some murmerings in this place. That which gave rise to the order was a representation made to the Councill of a great quantity of English money brought in by English men on purpose to draw a share of the equivalent, and its thought the discharging the banke to take it in may be a mean of discovering the cheat."

Sir David Nairne to the Earl of Mar.

1707, April 12. Whitehall.—The Duke of Ormond is laid aside, and the Earle of Pembrock declared Lord-Lieutenant of Ireland.

John, Archbishop of Glasgow, to the Earl of Mar.

1707, April 15. Edinburgh.—He craves payment of the £300 sterling yearly promised by the Queen to him when he was last at London. He has received nothing for four years past, and his long and causeless imprisonment, banishments and confinements for ten years, with the maintenance of his family and the education of his children at home and abroad, have reduced his small stock to one-half of what it was at the Revolution. For the past eighteen years he has received none of the rents of Glasgow, though the other bishops have had £100 sterling yearly allowed to them. "I have done my best endevors," he says, "to bring as manie both of our clergie and laitie to their due allegiance to her Majesty, as also to promot the union of the two kingdoms." Further, his son-in-law, Dalmahoy, is in such straits that he will have to sell his estate, and so his wife and children will fall to be supported by him.

Captain Cleland to the Earl of Mar.

1707, April 17. Alzira.—Reasons which were certainly of the greatest force oblidged my Lord Galway, acknowledged even by his enimies for one of the wysest men in Europe, to give battle to a vastly superior enimie in number and situation. Our foot generallie did well as did part of our cavalrie, the Portugueze, lyke cowards, or as some say they beleive without reason lyke traitors, leaveing us the honor to begin and end the action which for the tyme was, as old and experienced people say, was one of the hottest ever known. The French themselves acknowledge the loss of three thousand horse. They

must certainly have lost more foot, their center and part of their left wing haveing been pusht near a myle to the very walls of Almanza; in which action the Dutch under Count Dona destinguisht themselves, as indeed no people could behave better than all their troops here did. He retyred with the very small remains of our infantry over a great plain, in spyte of all the enemies cavalry, to an old castle, where yesterday he had the same capitulation as was given to the French at Bleinheim in which this battle resembles that. I pray God it mayn't have more fatal consequences.

MR. CARSTAIRS to the EARL OF MAR.

1707, April 19. Edinburgh.—We have had lesse warmth and more unanimitie in this Assemblie then I once thought we should have had, and I hope we shall have a calm conclusion. We had this day brought into the committie of Overtures a paper about innovations in worship, and after long and many debates, forenoon and afternoon, we at last adjusted it so that for preventing heat and division it was unanimouslie gone into, though some of us thought that even as it was smoothed and adjusted, it was not necessarie and might be inexpedient; but we did judge that in this junctur it was fitt that we should part calmlie if possible, as I doubt not but we shall, and I hope some foundation is laid for our future quiet; and I doubt not, my Lord, but the Court will wiselie bear with the warm zeal of some, while all of us appear heartilie well affected to the honour and peace of her Majesties Government. We have past a form of practise in ecclesiastik judicaturs which hath been the great work of this Assemblie and will be of use.

THE EARL OF GLASGOW to the EARL OF MAR.

1707, April 21. Edinburgh.—This day I dissolved the Assembly, who parted in most calm and peaceable manner. Never was ane Assembly so well pleased with their Sovereign as this Assembly is with the Queen. They concluded with a most loyall and dutyfull address to the Queen which your Lordship hath transmitted to yow by the Moderator. This day also the Councill met and adjourned the Parliament to the 29 Apryle.

SURGEON-MAJOR GEORGE PRESTON to the EARL OF MAR.

1707, April 24. Edinburgh.—He has held the appointment of Surgeon-Major to the whole forces for the past four years, and has received no pay. He begs that his case be represented to her Majesty and a warrant obtained for his payment out of the equivalent.

JOHN STIRLING, Moderator of the General Assembly, to the EARL OF MAR.

1707, April 24. Edinburgh.—Upon the account which my Lord Grange was pleased to give of what your Lordship had written in return to that sent with the ansuer to her Majesty's

gracious letter I did acquaint the Assembly, and am obliged in their name to return their humble and hearty thanks to your Lordship for your kindness to this Church, of which they humbly intreat and confidently expect the continuance. I hope the moderat and calm procedure of the Assembly wil not only be pleasing to the Government but tend to quiet the minds of people throw the nation and serve to allay the ferment which was in many parts. And as her Majesty and those who have the administration under her have manifested a very tender regard to the peace of this Church at this juncture in not injoining any thing uneasy to the Ministry and which might serve to waken the discontent again, so it is humbly and earnestly desired your Lordship will be pleased to continue your good offices for this purpose, that the same wise measures so evidently for the Queen's service may stil be taken.

HARIE MAULE to the EARL OF MAR.

1706, April 29. Edinburgh.—Yesterday the Parliament was dissolved, and this day the Council and Exchequer sate and her Majesty's letters being read, there was two proclamations published accordingly.

Yesterday we had account of 31 whales from 15 to 26 foot long being found dead on the sands of Kirkcaldie, which is very much talkt of as ominous.

1707, April.—Petition by Mary Campbell, widow of Lieut.-Col. Fullerton, whose husband, having come over with King William and being advanced to be Lieut.-Col. of the Earl of Angus's regiment, was killed at Steinkirk. King William then granted her a pension of £80 yearly, but this was discontinued at his death for three years and a half, when the Queen gave her a new gift of the same pension. She craves the amount due for the three and a half years.

HARIE MAULE to the EARL OF MAR.

1707, May 1. Edinburgh.—Yesternight there came by the packetts five letters for the English gentlemen come downe to assist in manageing the customs, which were delivered them in the Earl of Glasgow's lodgings how soon the packet arrived.

The towne has been full these two days of your Lordship and the Earl of Loudoun's being made marquesses, and your Lordship Keeper of the Signet during life, and the Duke of Queensberry Chamberlane of her Majesty's Household in place of the Earl of Kent. What has given rise to these I do not know.

There is nothing so much taken notice of here to-day as the solemnity in the south part of Britain and the want of it here. The first tune of our musick bells this day was "Why should I be sad on my wedding day."

There being a printed account of the whales come ashoar at Kirkcaldie, I send it inclos'd to your Lordship.

THE EARL OF MAR to the TREASURER.

1707, May 3. Whitehall.—I heard yesterday of my poor wife's death, which tho' I have been expecting for some time yet I cannot now help been extreamly concerned and out of order with it. I cannot go abroad for some time and beside I'm not very fit for business just now, so I beg your Lordship may excuse my not waiting of you. It is probable the Queen will now be thinking how to dispose of her old Scots servants. I have served her Majesty will all the faithfullness and zeal I was capable of, which I acknowledge was but my dutie. I know not in what shape her Majestie will put the office which I had. If I can be of any use in it I confess it wou'd be my greatest ambition to serve near her person; but if that be not thought for her service I freely submitt. I have been alwayes extreamlie oblidged to your Lordship and I must now beg your protection. Your Lordship was once pleased to tel me that you had knowen some of my people and familie. It was of pritty long standing in Scotland and the fortoun was once as considerable as most there, but by some accidents and chifly by their adhearing to the Crown in King Charles the 1st and 2nd's time it was brought low, and was so when I came to it. By manadgement and the Queen's bountie I have recovered it a little, but it is not yet in such a condition that I can live well without the Queens favour and assistance. I am very much bound to her Majesties goodness, but if your Lordship will be pleased to countenance me and speak in my behalf it shall tey me perpetually to your service. The misfortoun I have now mett with makes me cair less for liveing at home than I wou'd have done otherwayes, which wou'd make some post here much more agreeable to me than there if it sute with her Majesties service; but whatever the Queen pleases to order shall be satisfying to me, only I wou'd be very glade that I knew my fait soon that I might order my affairs accordingly. I beg pardon of this trouble; I thought those things may now be a concerting when I cannot go abroad, and your Lordship is the only person I relay on. Since your Lordship had the goodness to be favourable to me before I hope your Lordship will now forgive this. *Copy.*

LORD TREASURER OF ENGLAND to the EARL OF MAR.

1707, May 3.—I have the honour of your Lordship's letter, and am heartily sorry for the occasion of your confinement.

I shall wait upon your Lordship as soon as I can without being troublesome to you, and if any occasion offers where I may bee any way serviceable to you, nobody shall embrace it with more readiness than, my Lord, your Lordship's most humble and obedient servant, GODOLPHIN.

MR. SECRETARY HARLEY to the EARL OF MAR.

1707, May 8.—No person takes a greater share than myself in any thing which afflicts your Lordship. I know your

Lordship reckons these great misfortunes amongst the *vectigalia vivendi*, and accordingly the strength of your own reason will correct what natural tenderness would make otherwise immoderate. When I know your Lordship receives company I shall endeavor to pay my duty to you.

LADY GRISELL BAILLIE to the EARL OF MAR.

1707, May 8. Edinburgh.—Commiserating his Lordship on the loss of his wife, and begging him to procure a pension for life for her sister, rather than a commission for her sister's husband, Charles Billingham, as he is in a decay and cannot live long.

MR. JOHN STIRLING, Moderator of Assembly, to the EARL OF MAR.

1707, May 9. College at Glasgow.—I am glad I can assure your Lordship that the Assembly's management has had a very happy influence on the temper of this part of the nation where I now am, and tends much to the quieting and calming thereof. And certainly her Majesty's proceeding in such tender measures of forbearance towards her subjects in this part of the Island cannot fail to have good and satisfying effects to her Majesty and those who minister such wholesom counsels. The Earle of Glasgow acted his part so well at the Assembly that by his prudent and obliging methods he did render himself very acceptable to all.

LORD TREASURER OF ENGLAND to the EARL OF MAR.

1707, May 10.—I have the honour of your Lordships letter and will bee sure to wait upon you to-morrow morning as I sent you word. If in the meantime your Lordship would write to my Lord Glasgow all ships coming in to Scotland after the 1st of May are liable to the same customes as they would have done if they had come to the port of London and to the same prohibitions and restrictions. I am with great truth, my Lord, your Lordships most humble and obedient servant, GODOLPHIN.

THE EARL OF MAR to the EARL OF GLASGOW.

1707, May 10. Whitehall.—He has only been abroad to-day and has seen nobody but the Queen. He is to see the Treasurer to-morrow about the two ships at Leith which came in after the 1st of May; but he believes "the greatest favour they can expect is to gett leive to export their goods any where else than here. The noice of the goods imported to Scotland at this time is so great," that they dare not say much in favour of these ships. He recommends some persons for the Customs and Excise, but urges Lord Glasgow with whom the nominations chiefly lie, to prevent anything like jobbery, as everybody seems "so apprehensive of frauds and unfair doeings in the affair of the Customs that it will be a scandal to our nation and to us all in Parliament, if there be any wrong doeings in these matters.

THE EARL OF MAR to the EARL OF GLASGOW.

1707, May 13. Whitehall.—Since my last I was with the Treasurer and represented the caise of those ships that cam in after the first of May. His Lordship said the caise was plain, for since they cam not in befor the first of May, whatever goods they entered behoved to pay the English duties. If they broak bulk and had any prohibited goods, then they were ceasur; but if they did not break bulk, they might transport their ship and goods anywhere else. This caise is so plain that its needless to say any more upon it,, and it was impossible to gett any favour showen in it. The Duke of Queensberry is now prittie well, and I hope will be able to goe abroad in a few dayes. Wee have had several meetings with the Queen's servants here about the modeling of our new Government, but are not yet come to any certaine resolutione, save that the Privie Councell of Great Brittain is imediatlie to constetute and then our affairs will be dispatcht, and I believe the equivallent amongst the first, so it may be expected doun ere long. *Copy.*

HARIE MAULE, writer, to the EARL OF MAR.

1707, May 13. Edinburgh.—My Lord, before we had the account of my Lord Couper's being Chancellar of Great Brittain we had the project thus that the Earl of Seafield should be keeper of the great seal here with power of preceeding in the judicatorys as Chancellor, that the Duke of Qu[eensberry] should be Chamberlain of the Household, and the Privy Seal and Signet setled during life on your Lordship and the Earl of Loudoun; but since we had the account of her Majestys declareing my Lord Coupar Chancellor of Great Brittain the project is altered and they'l have the Earl of Seafield 3rd Secretary of Great Brittain, but 'tis not yet condiscended upon how the signet and other seals will be disposed of; but people very impatiently wait the determination of these matters. The equivalent is mightily longed for here, and because 'tis thought the delay is for want of commissioners to manage it people heartily wish they were condiscended upon, for many an honest gentleman's credit depends upon it at the term.

THE EARL OF CROMARTIE to the EARL OF MAR.

1707, May 17. Edinburgh.—He had represented last year that two scoundrels from Scotland, one called Thomas Forrest, a confessed forger of false writs, and the other David Scotland, convicted of larceny, and who had escaped from jail in England, had accused Colonel Villars at Tynemouth Castle of importing forbidden goods from Scotland. Col. Villars is a man of honour and has ever been a forward friend to all our nation. The facts as to these scoundrels have been proved by the testimony of their judges, and the prosecution of the Colonel stopped, but they are pressing for a reward. He will esteem it a personal favour if they receive the just recompence of their deeds.

NOTE FROM THE LORD HIGH TREASURER OF ENGLAND to the EARL OF MAR.

1707, May 17.—I have sent orders by this post that transires should forthwith bee given for all goods imported regularly into Scotland before the 1st of May, provided such goods were not prohibited by the laws of Scotland. (Unsigned, but in his own hand.)

HARIE MAULE, writer, to the EARL OF MAR.

1707, May 20. Edinburgh.—The enimies of the Union have made several stories of late about the equivalent, as that the Queen had writ downe for a delay of the payment thairof for 12 moneths because of the emergent in Spain, and her Majesty would pay interest for it, etc.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1707, May 21. Whitehall.—The Queen on Munday last caused summon five of us to be admitted of the Councill here, viz., the Dukes of Queensberry and Montrose, the Earles of Loudoun and Seafiefd, and myself. The four last were admitted yesterday, but the Duke of Queensberry was not so well recovered as to venture abroad, but I hope he will against nixt Councill day. There are to be no more Scots added at this time, which I belive displeases some people. This express is sent down with a new commission for the Councill in Scotland. The Queen resolved to put nobody off but who had been against the Union, nor to add anybody but such who had been formerly of the Councill and had now been for the Union.

THE EARL OF MAR to the EARL OF GLASGOW.

1707, May 21. Whitehall.—Since my last which was in returne to yours of the 13th, I read yours to the Queen and shoed her Majestie those papers you sent me inclosed, with which she was very well pleased and is sensible off the dilligence and paines your Lordship has been att in bringing them to such a clearance. She thinks the debt on the civill list amounts to a greater sume than was expected, but reallie I have not yet gott tim to read that paper exactlie over.

On Munday the Queen was pleased to cause summond five of us to be admited on the Councell here yesterday; the Duke of Montrose, the Earles of Loudoun and Seafield and I were admitted, but the Duke of Queensberry who was the fifth was not abell to goe abroad, but I hope he will be before the nixt Councell day for he's now prittie well. The Queen acquanted the Councell yesterday that she thought it fitt to grant a commission for a Councell in Scotland conforme to the Artickles of Union, the draught of which commission she caused read and in the afternoon I cairied it to her Majestie to pass hir hand. It was thought fitt to putt nobody off the Councell but

those who had been against the Union, and to add nobody but such as had been formerlie of the Councell and had been now for the Union. So this being a generall measure the Queen thinks nobody can be angrie with reason for not being putt on att this time. Her Majestie can add whom she will afterwards by letters. Your friends thought here since this was judged the reasonable measure your Lordship would dispence with your friend's not being named att this tim; it can be easilie done in a leitle tim when he's fully of age and then ther can be nothing said against it. I would not so much as desire my brother Grange to be named just now since he had never been of the Councell before. The Queen is very desirous to have this Councell constetut soon, because the proclamation for calling the Parliament will not be issued untill she hear of the new Councells meeting from Scotland and it is tim it wer out, so by her Majesties orders I have wryten to all who are named to meet and qualifie as soon as possible. I know your Lordship will gett the meeting as soon's you can. I wish it may be pritty full and I beg your Lordship may order the clerks to send me the minuts of the first meeting and attesting the Councellors being qualified signed by himself as soon as possible. The quorum of this new Councell is made six because the sam number is the quorum of the Councell here. This commission was drawn and adjusted with a great dail of cair and paines so I hope it will be likt in Scotland. This day wee are to meet to finish the commission of the equivalent and to adjust the Court of Exchequer in Scotland. I hope our whole Scots affairs will now be soon concluded. I'm sure the sooner the better for the Queen's service and for all their advantadges who have the honour to serve her.

THE EARL OF ROSEBERY to the EARL OF MAR.

1707, May 27. Barenbougall.—He desires his Lordship to speak again to the Queen for a gift to him of the Chamberlainry of Fife. He thinks he may now reasonably expect some other post in the Government than merely being a councillor, as he has ever firmly served her Majesty and her interest in all the sessions of Parliament he has been in, and has also been at some expense in attending her service. But whatever her Majesty may do it will not in the least alter the zeal he has ever had for her service.

THE EARL OF GLASGOW to the EARL OF MAR.

1707, May 30. Edinburgh.—There are letters sent doun last post from the managers of the Customes in England by order off my Lord High Treasurer off England to the gentlemen that were sent doun here to teach us the forms used in England in collecting the customes and duties off goods exported and imported, the double off which letters I think it my duty to send yow. Not only are our merchants much alarmed bott our people are in ane unaccountable ferment. My Lord, if my poor advyce had been asked I would not altogether advysed the

method off the letters inclosed, for in my judgement I think the importing of tobacco from England to Scotland a perfect trick, and ought not to be imported into England but upon payment off the high dutyes; as also the whale finn and cocoa nutt and the other dry wares ought all to pay the high dutyes if imported into England. Bott for the clarett wyne I wish it had been allowed to be carried into England, especially considering that they could not have imported into England above fyve or six hundred tunns, and that we have imported in some years as great quantities off red wyne as wee have done this year. My Lord, your Lordship will be pleased to advyse with my Lord Chancellor and the rest off the Queen's servants above and give us here your ansuer as soon as possible. I wish yow would dispatch the commissiones for the Customes and Excyse, for I have a pretty uneasy time off it. My Lord, I gave a commission to ane active fellow to goe throw the precincts off Kirkaldi, Prestonpans and Burrowstounness, and try if he could learn that there were any wyne or brandy run in these bounds. There being seven or eight ships that came in with their loadings off wyne and brandy after the first off May and their temptation was great to run the goods. In pursuance off my commission he found four ships in the precincts off Kirkaldi that had run almost their haill cargoes, so by force upon my warrand to the Horse Granadeers he boarded tuo off the ships and brought them this morning to Leith. The other tuo ships upon the sense off their guilt cutt their cables and ran to sea, and lay at the back off the Isle off Mey. Captain Hamilton being in the road I design to send him out and bring them in. I have also discovered considerable running off wyne and brandy in the precincts of Prestonpanns and Burrowstounness by my private commissiones, for it is impossible to discover these frauds and tricks bot by secrecy, for if I had done this at a Treasury board so that our clerks had known the secrett, I had discovered nothing.

1707, May 31.—"My Lord Treasurer's answer to my Lord Glasgow's letter, May 26th, concerning the Scots marchants and Gray's affair." Upon that certificate from the Counsell of Scotland the Privy Counsell here may meet and appoint the time of the Parliament's sitting.

Gray's memoriall cannot in my opinion be comply'd with, because if he bee allowed to unload his goods which are not prohibited it may give the more opportunity to run those which are prohibited.

As to Gordon's paper, he is in right to bring his goods to England, but he will certainly bee subject to the laws of England considered with the Act of Union.

The Earl of Cromarty to the Earl of Mar.

1707, May 31. Edinburgh.—I had the honor of your line in company with the Councel's commission. Your Lordship hears seldome from me; not that I have not some privat matters to

desyre, but that I judged the publick effairs so heavy on yow that I would not add to the load till these grow lighter. Wee wish to hear better knews from Spaine and the Rhyne, for Louis of Baden is not only apologized for but magnified for his keeping well and long what his successor hath so easily lost. I wish wee may hear of ane equivalent for our enimies in Flanders. But I suspect Vendosme will talk bigg but stand on the defensive there, whilst our weaker sides are thereby exposed to them in other posts. I ever thought our merchants adventured too much on the catch of the nick of our conjunction, yett, my Lord, yow cannot imagine how great advantage the enimies of our Union have gott over this old nation generally by the orders for prohibition of import from Scotland not only of returned tobaco (which none can condemn) and of French wine, but the prohibitory article of all other customable goods. That hath raised a clamor and threats of more, especially in the loyall west country. I gett my share, tho' I beleve my zeal for the Union be not so much notticed elswhere in my favour as heer, it is to hurt me if they can. I wish those that are crowned with the laurels for that victory would stand in these gaps of inconvenience. But yett I am no penitent for what I did nor will I trouble any with resentment of my treatment, and enough of this. Bot, my Lord, I most still wish happy effects of our Union and its stability; and that nether keeping up the larva of a kingdome deceast in its useless officers may fright us who by distance are as children on sight of these ghosts; nor by any harsh treatment of our traders, for if no merchandise goe in but what truly belongs to Scotsmen, *ne vault l' peine*, and other hidden traders I beleeve doe raise the greatest clamours heer. This is intrusion enough for a bystander. I hear these sent to oversee the matters of Excise dar not goe to the west till some troups scour the rout. Weell kens the mouse, etc. See what it is for a hobby to beginn lettering with a statesman, and for fear of too much faulting I break off.

HARIE MAULE to the EARL OF MAR.

1707, May 31. Edinburgh.—By the post that arrived Wednesday's night there was a letter from Mr. Philps for giving out your Lordship's and the Earl of Loudoun's commissions. This morning I received your Lordship's. I payd drink-money as for former gifts in favors of your Lordship; but Mr. Stewart, deputy keeper of the great seal, thinking he would get orders for quitting my Lord Chancellar, the Purse, and keeper's dues, demanded onely a note from me for said dues till he should get his orders thereanent. I have seen Mr. Stewart since the post came on to-night, and he tells me he has had a letter from my Lord Chancellar concerning your Lordship's and the Earle of Loudoun's commissions and no orders for passing them gratis. I told him the dues should be payd him on Monday, but I did not expect that it should have been exacted.

There's a great grudging and uneasiness among our merchants upon the new orders dischargeing coast cockets to

be given them. Some say they will take their hazard upon the articles of Treatty and a protest for a coast cocket. The takeing of two ships, one belonging to Mathie, a Prestonpans man, and the other to Wood, a Montrose man, who were designing to run their wines and other goods, augments the ferment among ignorant people who cry out, "Is this the effects of the Union?"

The equivalent is so much dispaired of here that among the vulgar the greatest part beleeve it's gone to Spain, and some beleeve that the bridge of Berwick is fallen with the weight of it, and all is lost. However, the expectation of it on the other hand has made this term very easy to a great many and stopt diligence very much, which, to your Lordship's loss, I found at the signet, for since your Lordship was concerned there was never so litle collected in one moneth, and no wonder, for most of the writers have been out of towne, and very rarely we had a Lord of Session in towne except my Lord Grange, and when he was in the country we had none at all.

Sir William Maxwell of Monreith's eldest son was drowned the other day in the water of Nith as coming to Edinburgh to plea against his father for an aliment, tho' people generally say his father was in the wrong to him so that they look upon as no particular judgement on the sone.

HARIE MAULE, writer, to the EARL OF MAR.

1707, June 3. Edinburgh.—The uneasines among the merchants upon the prohibition of importing their goods does dayly augment and now they do not stand to blame the ministers of state for insisting so much to favour strangers in opposing twice the bills brought in to the House of Commons to their prejudice, for had the bill passt they had been free and furreigners run the hazard, but now both they and forreigners are in the same case; and tho' the generality of people here be pretty well satisfied with the prohibition, because they'l drink cheap wine, yet they appear sory for their friends the merchants, who will suffer. The people in the west are so obstinat still in their inveterated temper against the Union that rather than submitt to it yet they'l assist King James; for they can not see, they say, a security for the Kirk, which they will by no means part with; and the ministers, tho' perhaps not much against their own inclination dare not but preach against the Union.

We have a list of commissioners for managing of the equivalent cryed throw the streets in the Courant, which I send inclosed; notwithstanding of which people here wager it shall not be downe before Candlemas next. But I beleeve the greatnes of the fear proceeds of the necessity of the generality of people concerned in it.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1707, June 6. Whitehall.—I doubt not but those ill-affected to the Union will improve every thing just now to their own

ends, but those who concurred in the Union will no doubt do their endeavours to counter them, espeatially seeing all favor and fairness is designed. I wish people wou'd not be too rash in their judgments of things, for at such a time as this when of necessity there must be such alterations, and consequently some disorders sometimes, but if they wou'd have a little patience they wou'd see things come right about as they desire them. The comission of the Equivalent is sent by this express, which I hope will put people out of their foolish apprehensions that it is not to be payed at this time. There was a necessity of nameing severall members of Parliament in the comission, so no salaries cou'd be given them; but if they performe their trust well and cairfully ther's little doubt but the Parliament will make up the loss and trouble they will be at by it. My service to the Pop, who is one of them. I will wryt to him in a post or two. Tell Collonel Erskine that Kelhead is named on it upon his account. After the comission was expead Jerviswood thought fitt to decline in, so I belive he will not accept. The sooner those commissioners meet the better and the sooner will the money be transmitted. The rule by which the commissioners were named was that nobody shou'd be of it but those who had nothing else of the Government, I mean of any valow, and that they shou'd all be comoners.

John Aird, Provost of Glasgow, to the Earl of Mar.

1707, June 10. Glasgow.—Sir John Shaw of Greenock is attempting his interest at the Court to obtain the transfer of the custom house from Port Glasgow to Greenock. He formerly tried to have this done in 1694, but the Lords of the Treasury after hearing the city of Glasgow refused. Greenock is only a burgh of barony, and Glasgow is a royal burgh and bears much of the public burdens.

Captain James Urquhart to the Earl of Mar.

1707, June 11, O.S. Bayoune.—Telling him of the battle of Almanza and the death of his brother Colonel Harry Erskine there. When brought in the following day liberty was obtained from the Duke of Berwick, and he and Col. Ramsay, also killed, were buried.

John Clerk to the Earl of Mar.

1707, June 12. Edinburgh.—James Clerk suggests that all the money to be coined here should bear her Majesty's arms quartered as appointed by the Union. He hears that some old stamps which were made use of in the Tower are being sent down; but these will never do so well on our new coin. He and other commissioners for the Equivalent are to qualify to-morrow, and he begs his Lordship to expedite the sending of the money "for 'tis impossible to express how ill the delav of the equivalent

is already taken. For if publick and secret caballs, drinking King James's health in whole shoals upon the streets and other demonstrations of dissatisfaction can route up any of our ministery to reflect seriously on the affairs of Scotland and to compare them with the unhappy circumstances of affaires abroad, then possibly both our trade and the equivalent will meet with some more consideration."

Colonel Stewart to the Earl of Mar.

1707, June 12. Edinburgh.—We have had a solemn day, called the 10 of June. Some of the merchants' ships in the road put out their ensigns and the night was past with drinking full bumpers to the health of the day, and at one in the morning a very considerable company came to the Cross where the forsaid health and the brave Duke of Berwick's went round. I belive Sir David and some of the English gentlemen who were in his house had the diversione of looking at them. The noble toun guard took care to give that mob no disturbance. There was abundance of pouder brunt in all quarters. Att first I did not think of the day, so wondered that I could not set my nose into a close or court but puff it went. Well, I hope the licence being come for exporting the merchandice will sweeten a littell our tempers, tho' it had been much better the same thing had been done from the begining. The shares of the Darien Company are going at 12 or 15 per cent. lower then when your Lordship parted from this, and till money come in there hands they'll belive nothing of that matter. I understand that all quarters of the countrey are com to be very beliving of the not performance of anything for our advantage.

Mr. J. Taylor to the Earl of Mar.

1707, June 12. Whitehall Treasury Chamber.—My Lord Treasurer commands me (in the absence of Mr. Lowndes) to acquaint your Lordship that upon his receipt of your Lordship's letter dated last Saturday night with other papers concerning the seizure of certain casks of brandy in the ship Eleizabeth of Prestonpans from Rotterdam, and other matters therein mentioned, his Lordship sent the same to the commissioners of the Customes here to give his Lordship a true state of the severall particulars therein complained of; and the said commissioners haveing now returned the said papers together with their answer in a report thereupon, I am directed to transmit to your Lordship an extract of the said report together with the said papers, and to acquaint your Lordship that my Lord Treasurer observes there is just cause for the said seizure, and therefor cannot give any order to discharge the same, it being proper to be deceided by the Court of Exchequer only. But this case haveing hapned so soon after the Union, his Lordship makes nc objectione to the permitting the said ship with the remaining part of her ladeing to proceed on her voyadge to Norway or such other ports as she shall be bound for.

As to the linens and other goods of the product or manufacture of Scotland brought from thence since the Union, your Lordship sees the commissioners here have in all cases coming before them taken of the stope, tho' they had no proper dispatches for the same; and my Lord has now given further directions therein. (*Copy*).

THE DUKE OF MONTROSE to the EARL OF MAR.

1707, July 2. Glasgow.—You can't expect much news from this place. I don't at all find people here in any such ferment as we heard off. On the conterar aboundance of those who were most against the Union seem to think themselves pretty easie in reaping a considerable benefite by cheating the Government, which they do most heartely by running considerable quantitys of goods since the furst of May. I have got pretty sure information this waye since I came here, and treuly it is not much to be doubted off, for this is now done pretty openly and is sufficiently knowen to every body here. I shall be able to write more fully on this matter in a few days to your Lordship and will certainly do it, but if my information holds, as I think I may venture to say it will, it will be found that near 800 tunns of brandie have been runn into this place since the Union commenced without paying any dewty. If this be so its easie to guess what the amount of our Customs will be for some years to come, for I reckon other ports have been no less guilty then this same. This cheat is no less prejudiciall to the Queen then it is to the fair treaders of this countrie who entered their goods dewly paying the dewty before the furst of May. I shall see my Lord Chancellor and the Earl of Glasgow in a few days. We shall talk verie fully on all these matters and I hope we shall not be wanting in takeing all the pains we can to discover any such triks. I shall wish and hope that when our ships come to London our people may meet with all dew encuradgement. If fair treaders are treated as they ought to be we can with the more assuredness take ways to find out and expose these that have not been so. I am still of this oppinion, that it is verie easie for England to gain our people, let them but do us justice and make us a good countinance and they certainly have us.

THE CHANCELLOR to the EARL OF MAR.

1707, July 6. Edinburgh.—The people are at present all quiet and peaceable, but they are in full expectation of the equivalent, and that also the merchants who reside in Scotland and imported goods before the first of May will be protected, and a committie of Thesaury doth sitt *de die in diem* for taking the oaths of the merchants who have imported the goods upon there own proper risque. I found all the goods that are to be transported from this countrey into England on shipboard, and the ships had there coquets granted before I came, and

accordingly the wind offering fair they sailed under the convoy of Captain Gordon and Captain Hamiltone, Thursday last. I intreat that the Duke of Queensberry, Earle of Loudoun, and your Lordship may use your endeavours to the outmost for our merchants, quhatever may be thought fitt to be done to forreigners; for if our merchants' goods be saised it will make ane extraordinary ferment here, whereas if the merchants are protected and the equivalent duely answered it will not be in the the power of the enemies of the Government to make any disturbance.

I find the commissioners of the Equivalent have fully answered the letters wee wrote from London, and are doeing nothing till they hear again from your Lordships. Our coyn is in great disorder, and wee are afraid that the next fleett of merchant ships from Holland and from the Baltick may bring in considerable quantities of duckadowns and dollars.

The Earl of Mar to the Chancellor.

1707, July 9.—The Duke of Queensberry and my Lord Loudoun designd to have wrote to your Lordship by this pacquet, but to save repetition they desired that I might do it for us all. We are very glade to hear of your saif arrivall at Edinburgh and of the good reception you got; but we cannot but wish that your Lordship had been here at this time when there was so much need of your advice in this matter of the equivalent which is now sent down. But we have had a great dale of trouble about it. Your Lordship has incloased a copie of our letter to the comissioners of the Equivalent and by it you will know the reasons of our actings in that affair. We are hardly circumstanciat, for any scrouples or difficulties that were proposed in the method of the payment are thought here to be of our own making, and so we are jeloused. If there be any difficultie made in Scotland it is thought here too that your Lordship and with other friends there might have removed or prevented it if we had a mind. Then again in Scotland 'tis but too probable we will be mistaken by people there. Those here who understand that matter think that there will be no need of sending more money down in specie if people there have a mind to make things easie, and this 'tis said the English comissioners of the Equivalent who are now gone down will make appear. We wish and realie hope it may be so without any inconveniencie or loss to Scotland; but we are sure that ther's more money now sent in specie than can be made use of for a considerable time, since the coinage must be first over before the loss of it can be knowen and consequently before any other debts of the equivalent can be payed. In that time it will be seen how the notes will be receaved and certainly a great many of them may be transacted without loss; then if it be found that ther's an absolute necessity of more money in specie it's but sending p notes for money here, and the Queen will be at the

charge and alow guards for it, and this money can be down before the comissioners can be charged for it. It was not thought fit to say this in our letter to the comissioners, because that might have incuradged them to call for more money in specie tho' it were not absolatly necessare; but we thought fitt to let your Lordship know it that you may take what method you think fit to perswad the Comissioners of the Equivalent to receave the notes if they make any scrouple about them. If they shou'd refuse them, it might be of very bad consequence upon severall reasons and might put such a stope to the affair that the equivalent might be a long time of being payed. By sending back notes here for more money (if absolatly necessare) the comissioners can be in no hazard, for they being numbred, tho' they were rob'd (which hardly can fall out) the payment of them may be stopt here. We design'd to have wryten to the Duke of Montrose, my Lord Glasgow, the Precident, and the Regester, but since 'tis all to this effect we beg your Lordship may comunicat this to them, and it being an affair in which the Queen and nation are so much concerned and also your Lordships and us all, we doubt not but you will take such measurs as will make this affair easie and to the satisfaction of every body both here and there. Since the money is now sent and will be at Edinburgh very soon, 'tis thought here that the Councill there will quickly set about the proclamation for calling in the money which is to be recoined. Nothing else materiall has happned since your Lordship went from this else I had given you the trouble of a letter e'er now. We will be glade to hear from your Lordship and particularly of this affair and how it is taken there. What we have done cou'd be out of no designe for ourselves but mearly out of conviction that it was the best for the publick service, and before that should suffer we resolved to venture the criticizms of ill-affected people and those who wish things to go in confusion; but we hope the comissioners of the Equivalent and all well wishers to the United Kingdome will approve of our parte in this affair.

Your Lordship will see that this letter is not fitt to be showen to everybody; but we leave the manadgment of it to yourself. *Copy.*

The Earl of Cromarty to the Earl of Mar.

1707, July 10. Ethie.—As to what yow writt of peoples founding misunderstanding on severall occurrents, which cannot be helpt in the begining of constitutions, is farr from noveltie; but rationall men most walk by rules, especially the rules for publick good, and not by the litle polstarrs of mens privat interests and yett farr less by privat humors which are very oft extravagant. And therefore I pray that yow quite not your fondnes for the Union, for I am as much as ever perswaded that it was and is the cheff politick good of Brittain. I labourd (and with as much heat sometimes as discretion) in it for 40 years, through good report and ill report. I was often scornd by some

who now glorie in it. I am farr from repenting it; it hath in it the true nature of good. It is a good, in its worst veiw. But no sublunary thing is at first perfect. It is ane infant as yett, and needs a nurse. It was oft exposed as a Moses in a flotting baskett; recovered unexpectedly, and by a King's daughter; and now more then that I pray God shee may pitch on good nurses. And I'll tell, under adventure, that I shall never think any to be such who for any particular interest will keep up a seam of division. Any thing that will make us look as two now that wee are one may ether on purpose or by mistake bring us againe to be divided. The next thing I fear is that for some litle politick wee may compliment the Dutch (not in not hindering them to fish, for that I would not desyre) with not setting our desygns for outshutting them in their owne bow, for allowing them to fish as they did; if wee but fish as wee may, then wee will undersell them through all the earth and so worm ourselfs in to what alone (on examination) will be found to be first and great base whereon their riches, trade, and power are founded. This I did demonstrat to King Charles 1st (*sic*, *lege* 2nd) on debate in his closet with Mr. Slingsby, *anno* 1662, and can doe so still. Therfor as the best politick wish to one whom I wish very weell, I wish that the Earl of Marr may work with as great zeall and constancy for establishing both herrin and codd fishirie in Scotland by Scots hands and English direction and Brittish stocks as I your Lordship's servant did for the Union, but with more speedy successe; and then I dare prophesy Europ or any potentat in it may envy but shall not hinder us for the greatest and best founded trade in Europe. I doe not think to live to see it; 75 year old is too low for that; but whille I live I will wish it and indeavour it as farr as a wearied age can act. I am here at Ethie and where I receaved your Lordship's letter; and tho' I be in full health yett I think it is the last journey out of a chair that I will make in my lyfe. But good will, good wishes and sincer indeavours for these three things, viz.:—1st, no mark to remain of two divided kingdomes in Brittain; no faction in Scotland nor groonds of faction from places and divided power in North Brittain (these are two negatives), now one positive, viz.:—a vigorous fishirey; to shew that we have a better that is a more mine-full foond in Scotland then the Indies can affoord, for theirs will never grow, ours doe evry year, and meat never wants mercat and so can never want vent or vendition; and to fell two doggs with one stone, at once sett up Room and cause Carthage to fall by fairly takeing of its base on which it did rise, and yet without hindering them from the claim of their greatest man and greatest lawier (Grotius), viz.:—mare liberum. For tho' they fish with us they can never equall us; if English purses, Scots hands and provisiones and Brittains strength joine cordially and prudently; I wish (I say) to see this or I goe hence to where these concerns will be litle thought on by, my Lord, your Lordship's most obedient humble servant, Cromertie.

Bear with this long letter, for your Lordship will not gett many, and the fewer if yow doe not plunge into a Brittish fisherie.

THE EARL OF LEVEN to the EARL OF MAR.

1707, July 15.—This serves to acknowledge the honour of your Lordship's letter of the 9th with inclosed coppys of the orders and routs relateing to the Equivalent, for which I give your Lordship thanks. I had them sent me by Mr. St. Johns a post or two befor so that I had given the necisary orders for a party's marching to Berwick befor I gott yours. The party is to consist of one hundred and twentie dragouns under the command of Lewtenant-Collonel Dowglas, and under him two captanes and thre subalterns, which I think more then sufficient, yet I am told sume are grumbling that it is so weak. My Lord Admiral is at Eathie, but I shall acquent him by a line of what you wreat.

I hop people will be a litle easie now that the mony is cuming doun. I am, my dear Lord, your Lordship's most obediant cusing and servant, LEVEN.

1707, July 19. Edinburgh.—Memorial from the Earl of Seafield, Chancellor of Scotland, with reference to the returns of the members of Parliament, the Scottish goods sent to England, the removal of the military guard from the Nether Bow port of Edinburgh, the payment of the equivalent, soldiers for Glasgow and the Mint.

THE EARL OF GLASGOW to the EARL OF MAR.

1707, July 20. Edinburgh.—My Lord Chancellor's writting to your Lordship anent the way and maner of summonding our Peers and Commoners to attend the first Parliament of Great Brittain, and his sending the tuo forms by the Advocat and Sir David Dalrymple of the returns from this that yow may choose either or send doun such a form as gives most satisfaction there, makes me forbear to give your Lordship trouble by repetition. My Lord, I am sorry to tell yow that some of the commissioners of the Equivalent, of whom wee had reason to expect better things, are lyke to prove most uneasy, such as Sir Thomas Burnett, young Pittmedden, Mr. Clerk of Pennycook, and severall others; bott all paines shall be given to remove their scrouples. Bott it was scarce to be expected that there possibly could be a commission off such a number of our countreymen, and that they should aggree. Certainly the commission is too numerous.

LORD HALIFAX to the EARL OF MAR.

1707, July 22. Hampton Court.—I return your Lordship many thanks for the honour of your Lordship's letter with the enclosed from the Duke of Montrose. I shall be proud of seing your Lordships here when your leasure will permit you to take the air at Hampton Court; but 'tis my desire to attend you upon any busnesse that concerns the good of the Union,

which is so much at my heart. I shall therefore come to town this evening, and will not fail to wait upon your Lordship and my Lord Loudoun at the Duke of Queensberry's to-morrow at twelve o'clock. I am, with great respect, my Lord, your Lordship's most humble and most obedient servant, HALIFAX.

THE LORD HIGH TREASURER to the EARL OF MAR.

1707, July 23. Windsor.—I have received the honour of your Lordships letter with the letters and papers enclosed. Those from Scotland I shall keep according to your comands till I have the honour to see you; the order of Counsell I send to Mr. Taylour, who will send it to the Customes, and I hope my report to the Counsell upon the whole will bee ready here by next Monday which is the soonest the Counsell can meet.

I am not much surprised to find your Lordships are hardly thought of both there and here. 'Tis a fate wee must submit to, and does usually attend those who use their best endeavours to serve both one and the other.

I am sorry my indisposition hindred mee from waiting on the Duke of Queensberry, the Earl of Lowdoun, and your Lordship.

I will not fail to recomend to the commissioners in Scotland the persons named in yours, nor in any thing else where I may approve my self, as sincerly I am, my Lord, your Lordship's most humble and obedient servant, GODOLPHIN.

THE DUKE OF MONTROSE to the EARL OF MAR.

1707, July 28. Glasgow.—I find people generallie are mighty well pleased with what has been done, and the great grudge and antipathy that seem'd to appear against the papper monny, as I have heared the Exchequer nottes called by waye of disdain, evanishes a little; and now folks beginn to calculate how much monny they are to receave, and I think their hearts beginn to warm eaven to the nottes that were so terriblie exclamed against by some a while ago. In short, my Lord, I'm verie hopefull that when the bussiness comes once to be sett about it will be found verie practicable, and when once the monny beginns to be plentifull by circulateing thorow the countrie we shall heare no more of tuintie idle difficultys and objections that have been made of late. For as much as the people in this place encline to be upon the catch I suppose the nottes may be as wellcomly receaved here as anywhere.

THE EARL OF MAR to the CHANCELLOR.

1707, July 29. Whitehall.—Since I write to your Lordship last the Duke of Queensberry, the Earle of Loudoun and I have been att Windsore, where our cheiff bussiness was this troublesome affair of the mertchants. Wee spoke to the Queen of it before the Councell mett, and also to the Treasurer and severall others of the Councell. My Lord Treasurer said that

all favour should be showen them that could be to make this affair easie which was not contrair to the oppinion of the Queen's Councell learned, and further he nor none of the Queen's servants durst advise her Majestie to doe without hazarding their heads. He proposed tuo expedients, the first that they shou'd give bail and the Aturney-Generall being judge of the bail, it shou'd be made very easie, as their being admitted to be bail for each other; the second was that the goods shou'd be unloaded and putt in such cellers as the merchants pleased with a lock for them and another for the customers; and there to ly untill the Parliament gave orders in this matter. Wee lykt the first of those proposals best, but the merchants being so averss from giveing any kind of bail wee could not agree to any of the tuo. Wee spoke to the merchants of this, but they continued resolved not to give bail. Their petition was read in Councell and a report from my Lord Treasurer which referred to one he had gott from the Boord of Customs here. After these were read the Treasurer proposed that the Queen should remitt to the Aturney and Solicetor-Generalls the considera-tione of this affair since there were points of law in it and that they should speak with the people concerned and might perhaps propose some temper in it to their satisfaction. This the Queen approved of. The Duke of Queensberry said that since her Majestie approved of what my Lord Treasurer proposed he wou'd not trouble her Majestie much, but he understood by the proposall that her Majestie did not now determine that the mertchants shou'd give bail but that she remited the whole affair inteir to Mr. Aturney and Mr. Solicetor to consider it and to speak with the people concerned and then to report to her Majestie that she might have the whole before her nixt Councell. The Queen said she did understand the Treasurers proposall so, and it was ordered so accordingly. This is some delay but the best wee could make of it at that time. The merchants after the Councell appointed to meet with the Aturney and Solicetor this evening, and nixt post your Lordship shall know the result of that meeting. The flying pacquet arrived this morning with your Lordships of the 25th and the address of the royall burrows. I sent imediatly for Mr. Stewart and askt him when he desired my Lord Loudoun and me to goe to Windsore to present it to the Queen, the Duke of Queensberry being there already. He said that he thought wee should delay doeing it till wee saw what would be the effect of their meeting with the Aturney and Solicetor, which cannot be till to-morrow. Wee shall continue to doe all that lyes in our power and shall follow such measures as Mr. Stewart thinks best since the burrows intrusts him in this affair. I beleive that I write to your Lordship before that the merchants when I was att Windsore last week desired me and the other tuo lords to beg my Lord Treasurer might allow them to unload their goods and to choose their oun cellers with a lock for them and another for the customers, because in the time this affair was under the Queens consideration their goods might perish ashipboord with the heat.

Upon this the Treasurer granted their desire and gave the orders about it; but the merchants altered their minds and resolved not to unload untill the affair was determined, and yesterday I'm told they entered a protest att the Custome houss, a coppy of which I'm promist and shall send it to your Lordship inclosed if it come in time. This altering their resolutione after their desire was granted looks pritty odd. I have reasone to beleive that the Englishmen who are concerned in this affair and know their case not so favourable as the Scots advise our people in the methods they follow for their own ends that they may be cloakt by them; but our merchants will be foolls if they doe not propose the distinctione, which they have not done as yett. If they did it's probable that they would gett the more favour, but our not being positively shure of this makes it dangerous for us to propose it to them, especially since they advise with those English mertchants.

The Parliament sitts doun the first day of the terme, so tho' bail were given I'm persuaded that it would never come to a tryall, for I doubt nothing of the Parliaments giveing orders in it, and such too that wou'd free the Scots mertchants. My Lord, I write the fuller on this affair that your Lordship may lett people with you know the true state of it and the paines wee take, tho' after all I beleive wee will gett litle thanks. My Lord Treasurer told me yesterday that he wou'd write to your Lordship and send me the letter to forward by this post. Those papers concerning the returne of the Scots members of Parliament are referred to the Chancellor of Brittain and the Aturney. The Queen and the Treasurer were pleased with your Lordship's memoriall. Her Majestie has ordered me to write to severalls of her servants to attend att Edinburgh, which I have done and enclosed them to your Lordship to order them to be delivered.

There is a convoy ordered for the ship in which the things for the mint att Edinburgh are on boord, so I hope they will soon be with you. The letter for the Councells appointing justices of the peace was sent some time agoe. Your Lordship was certainly in the right in letting the battalion of the Guards goe to Glasgow and continueing the guard on the Nether-Bow. Wee long to hear that the equivalent is come to Edinburgh and that the Commissioners understands better the goodness of the payment. By the Act of Parliament ordering payment of the Affrican Company your Lordship is in the right about the payment of that money, and if more ready money be absoluitly necessary it is very easie seen how it can be gott on demand. But I'll say no more of this now, untill wee hear again about it from Scotland. *Copy.*

THE EARL OF MAR to SEVERAL NOBLEMEN AND OTHERS.

1707, July 29. Whitehall.—The Queen considering that at this juncture it will be very much for her service that severalls of her servants reside at Edinburgh for some time for giveing the necessare orders and directions for preserving the peace and

giveing right notions to people there of anything which concerns the publick, espeatially seeing that those disaffected to the Union are at such pains to misrepresent everything to alienat people's minds from it; and also that it is very necessare to be considred before the Parliament of Britain meet what laws are thought needfull to be altered or what new ones to be proposed, which cannot be done so well as before the Scots members of Parliament come up; therefore her Majestie has ordred me to signifie this her pleasure to your Lordship and some others of her servants, which I have done by this post. This will be of great advantage to the publick service, so I doubt not of your Lordship attending, which is all I'll now trouble you with. I wryt this by command, and am, etc. (This letter was sent to the Chancellor, the Duke of Montrose, Earl of Leven, Earl of Northesk, Earl of Glasgow, Lord Register, Lord Justice Clerk, Lord President of the Session, Lord Advocate, and Sir David Dalrimple—*a copy*).

The Earl of Seafield (Lord Chancellor of Scotland), to the Earl of Mar.

1707, July 31. Edinburgh.—I have receaved the honour of two of your Lordship's since I wrote last, one by the commissioners of the Equivalent who came upon Monday last. I shall give them all the assistance in my power, and I hope wee shall overcome all our difficulties, for they declare themselves willing to give bills payable at sight to any that makes difficulty to receave Exchequer notes. If those in the Government doe as I am willing to doe, that is to demand what's owing me rather in Exchequer notes than money, the credit of these will quickly be established. After all I'm afraid that some more money will yet be required. I have also told these gentlemen that in the issueing of the proclamation concerning the coyn the Privy Council will be ready to concurr with what they can reasonably propose that may preserve some stock of cash in there hands, provyding the coyn can be effectually rectifyed. They are to dine with me to-morrow, and wee shall discourse further of this matter before any thing be done concerning it in Council. They are to meett this evening with some others of the commissioners who are come back to town on this occasion. They are to setle with them the method of secureing the money when it comes, quhich wee think may be upon Wednesday next.

The letters which our people receaves here from our Scotts merchants at London occasions a great deal of ferment, for besides the loss that privat persons sustains it is a generall discouragement to those that had projected to trade, and they say all our tradeing people will be necessitate to goe to some other countrey, and the Jacobites say plainly that nothing will be observed to us that is granted by the Treattie.

Your Lordship has heard that there has been severall goods run both at Glasgow and in this Firth. The commissioners of

the Customes and wee are takeing all possible measures for discovering of the transgressors and getting a legall proof against them. In order to this the commissioners did resolve to cause summond some that are most guilty before the Exchequer, and I can assure your Lordship they shall have justice done them. There is one thing that does occasion difficulty, that is by our law all merchants are oblidged within three moneths after importation to depone if they have imported any goods to this kingdome without paying the duties, and in there oaths to condescend upon the particular goods so imported. The merchants say they are not oblidged to depone because the laws of England concerning the Customes are to take place thorowout the whole kingdome, and no merchant in England is oblidged to swear against himself, and they say it is most inconsistent that they should be liable both to the laws of England and Scotland which are so very different, whereas the English merchants are only liable to the laws of England. I have desired the commissioners to acquaint my Lord Thesaurer with this difficulty, and desyre his Lordship's directions in it. I was somewhat surprysed the other day when Mr. Cochran of Kilmaronnock and above twenty merchants with him came to my house. They did at first represent the concerns of the Scotts merchants at London, to which I answired that the Duke of Queensberry, my Lord Loudoun and your Lordship were doeing for them what was in your power, and that I was very hopefull that the concerns of the merchants would be so adjusted that they would have no just cause to complain. Then they represented that above 1,000 people had been summoned to compear before the Exchequer for runing of goods, and that it was unprecedented to bring so many from the countrey at one time; but I told them that I did not beleeve that they were rightly informed, I knew that severall persons were to be summoned and that most justly for the great runing of goods contrary o the laws and to the great prejudice of her Majesties Customes and of trade, but if by mistake those employed by the commissioners of the Customes had summoned so many I would speak to the commissioners and fall upon some method to prevent the comeing of so many at once.

I have accordingly spoke with the commissioners, and they doe think that too many have been summoned though not near so great a number as Kilmaronock and the other merchants informed, and this will be so setled as to prevent any disorder, for wee resolve that they shall be prosecute by seven or eight at a time. . . . . Your Lordship mentions in your last letter to me that there is intelligence of a Highland hunting that's projected for bringing many people together. I doe assure your Lordship I heard nothing of it till now, nether had the Duke of Montrose intelligence of any such thing, for I had a letter from him to this purpose this night. It is lyke enough the Duke of Athole may have some such hunting in the end of August or September, but I am not afraid of any insurrection or rebellion.

Petition by the Lords of Session to the Queen.

1707, July 31. Edinburgh.—To the Queen's most excellent Majestie.—We your Majesties most faithfull and dewtifull subjects, the President and other senators of the Colledge of Justice in Scotland, do humbly represent that notwithstanding of the high station and heavie charge we are stated in under your Majestie for administration of justice, which requires a long laborious and expensive attendance, yet our allowances and sallaries are so very small and unproportionable to so great a trust and burdine, that as your Majesties royall predecessours and the Estates of Parliamant have on severall occasions taken notice thereof, so your Majesties late Parliament upon the same consideration and particularly from the sense of the new burdine laid upon us to conveen and sit every Wednesday in the afternoon as judges commissionat by Parliament to determine and decide all causes for valuation and sale of teinds, modifeing and localling stipends for the ministers of the church, and other matters propper and usuall to be determined in that court, did upon the 25th of March last recomend us in a speciall maner to your Majestie for ane addition to our sallaries. We have therefor from the confidence and assurance of your Majesties royall justice and goodness presumed to lay this our case with all submission before your Majestie that it may be your pleasure to make the forsaid addition to our sallaries and also to appoynt the fund and maner of payment thereof in such sort as your Majestie in your royall wisdom shall think fitt.

Sir David Dalrymple to the Earl of Mar.

1707, August 5. Edinburgh. There is indeed great need for a watchfull eye upon the people of this cuntry. There arise evry day new subjects of complaints. The execution of the new rules about the Excise makes our brewers mad, and they have been in mutinies here, and it will be yet more uneasy in the cuntry. I cannot precisely tell the reasons, but in general they complain that there 9 gallon barrels pay as 12 gallons Scots or 34 English. I apprehend the difference may arise from the maner of the gageing, for they do not survey or gage the barrels but the survey is made on the wort, and our way of brewing differeing from that of England the allowances given by the law of England in consideration of the wast in working the liquor does not answer our wast, which it seems is greater. Another reason of difference may arise from this, that our barells are not of an exact syze, but contain more then nine gallons. These things will be remedied in tyme, for our cask will be made after the English rules and our brewers will learn there fashions, but in the meantyme ill men inflame these broils all they can and are very impudent; nor is it any wonder, for we have a thin Government here, no troops at least no suteable number, no cruisers on the coast, whereby it hapens that letters from beyond sea may be delivered, and it is to be

feared are delivered every day. I pray God send us a good account of Tholoon. That enterprise is of vast consequence; if it miscarys we shall heare from these parts with a witnes I am affraid. And as our people are solicited to madnes on one hand there is such stifness and coldness shown in all there concerns in England, and our merchants get such strange accounts of there effects that this indifference has litle better effects then the suggestions of enimys. If a Parliament must be chosen next year the consequences of these things will appear.

THE EARL OF SEAFIELD, Lord Chancellor of Scotland, to the EARL OF MAR.

1707, August 5. Edinburgh.—I have sent this by a flying pacquet to acquaint you that the Equivalent is come and safely loadged in the Castle. There was a great confluence of people to see it; it was satisfying to all excepting the Jacobites and such as are so foolish as to desyre the Union to be overturned. It came about 12 aclock, yet I am informed some stones were throwen, notwithstanding of all endeavours to prevent such insults, for the magistrates were desyred to take care; the Guards at the port, the Cannongate and her Majesties Palace were also doubled, and there came with the equivalent one hundred and twenty Scotts dragouns.

There happened a tumult last night. Severall of the brewers haveing given over brewing there servants broke loose and pretended to putt out the fires of the other brewers. I ordered the guards to be doubled and acquainted the magistrates, and the tumult was compessed about ten aclock, at which time a great many of the prentises were conveening. There is indeed a great ferment in all the sea-coast townes. They beleeve there merchants are ruined, most of there seamen pressed, and that there ships will be sent back without convoy. I have not failed to communicate when it might be of use what your Lordship writes of the offers that has been made to our merchants. I beleeve this night Kilmaronnock and severall others have writt to there factors and correspondents to offer bail to perform whatever shall be determined by the Parliament provyding they be allowed in the mean time to dispose of there goods. I hope this will not be refused them for it's certain they will never acquiesce in what is determined by the judges; if there sentance were against them they would appeal to the Parliament. Therefor I earnestly intreat that the Duke of Queensberry, my Lord Loudoun and your Lordship may second any proposall of this kind that may be made, but I still hope that this affair is before now setled since the Attourney Generall and Sollicitor were to meett with the merchants after they had advysed with there lawyers. I shall use no other arguments, but desire your Lordship to mind her Majesties servants of that citation of the Advocat's—Serve this people for one day and they will be thine for ever; and without such a complyance wee have but a very uncomfortable life of it here.

THE DUKE OF MONTROSE to the EARL OF MAR.

1707, August 14. Edinburgh.—Yesterday from five till eight acloak at night the Exchequer sat upon the process at the instance of the officers of the Customs against severall merchants for running of goods since the first of May. The lawyers on both sides spoak verie long and fully, the affair being of verie considerable consequence. The partys were ordered to inform against Monday next, at which time the Exchequer meets again. I shant say how this matter will go; on the one hand the merchants think it hard that now when we are subject to the same Customs and Excyse as in England we should not have the benefitt of the English law with respect to the Customs, which they think is imported in the Article of Union. On the other hand it's evedent there have been the greatest cheats in the world committed of late by running and embazeleing of goods, and that we are to know no law but our own till the Parliament of Brittain make it.

COLONEL JOHN STEUART to the EARL OF MAR.

1707, August 14. Edinburgh.—We have had a comicall government here since your Ch[ancellor] came doun, especially since the Marquis went last to Glasgow; the brewers mobing allmost evry night, the premier minister for security of his person bate to arms the battalione of guards; John Phillp and James such a one doun to Lith for a reinforcement to the Netherbow and Gilbert another name run to Forgland but for security of his person bring him doun the Nore Loch side and so forth for the danger is all on the Cowgateside. Well the army being put in order and the grand court-martiall mett, be that tyme the brewers are weary and think fitt to go sleep, the troops dismist, and my Lord easy but inquire no more after it least that should be ill taken and our person indangered. Old Fiz when the commissioners of Excyse complaine there officers are kicked and cuffed, etc., answers there is no probatione, and Thomas Spence says they most not gage a Sundays, tho' they most brew then. I'le assure yow things were come that lenth that these gentlemen of the Excyse swore to me they belived they should not have one officer to serve here and so the matter most fall; which wold not done well; the revenue is a dangerous point to be baffled by the people. When the Marquis friends came to toun I told them that as things went his Grace's presence was necessare here, for they were packing up all the violent adressers against the Union to be justices of the peace.

MR. HARIE MAULE, writer, to the EARL OF MAR.

1707, August 14. Edinburgh.—Yesterday after that the Privy Council had ordered the returns of the brieves for calling the peers and commoners here to attend the Parliament, and a draught of the commission of the peace to be laid before them

this day in order to be transmitted, whereof your Lordship will have a full account from the clerks of Council, there was a proces called against four Episcopal ministers who had set up a meeting house at Kitlenaket within the West Kirk parish. There was none of them found to be qualified, and therefor they were discharged preaching, and the sherifs ordered to close up the meeting-house. Immediatly after this there was called a proces at the instance of Barbara Fea, who pretended to be married to Patrick Trail, younger of Elsnes in Orkney, against John Trail, her father, and David Trail, her brother-in-law, for dispossessing her and violently beating her, etc. This mariage betwixt Patrick Trail and Barbara Fea being made by the Advocat in place of the minister, he was obliged to give the account of it himself before the Privy Council, to this purpose that Patrick having made love to Barbara he had writ her a great many letters on that subject; this intrigue produced a child, upon which Barbara asked my Lord Advocat's advice, seing Patrick would not own her as his wife, and let him see her letters from Patrick, which he thinking that they amounted to a promise of mariage advised her to a pursute of adherence against him before the Commissars of Edinburgh. Patrick finding himself straitned made a fashion of courting her again, and by that means gets his fingers on his own letters that he had writ to her, which she immediatly perceiving made her complaint to the Advocat, who gave a warrand for apprehending him, which was done that moment while she was yet with the Advocat, and being brought to his room where she was he was most willing to marie her, upon which the Advocat caused writ a contract whereby he obliged himself to adhere to her as his maried wife and she to perform the duety of a wife to him, and the Advocat declared them maried persons and dismissed them well satisfied. But he very soon after deserted her which occasioned the Council proces. After the Advocat's giving the account of the mariage as above the Earl of Isla proposed that there should be an order for shutting up my Lord Advocat's meeting-house for clandestine mariages as being more dangerous than that of the Episcopal ministers immediatly before discharged; and my Lord Duke of Montrose proposed that Mr. John Blair, agent for the Kirk, might be ordained to prosecut the Advocat for an irregular mariage. But upon the whole the Advocat's mariage occasioned mirth enough for a while in the Council.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1707, August 16. Whitehall.—I am heartily sorie for the dissatisfied humour that still continows in Scotland and the unluckie accidents that happen to foment it, which is all I'll say about them. I'm sure we three here do what we can to serve our country and make things easie, which makes our lives worse than holding the plew, and after all I belive we will get little thanks for it. After we have thought that the affair of the

marchants hade been concluded these ten dayes, a new difficultie has arisen, upon which we are forced to put off our jurnie to the Bath for some dayes and go to Windsore. I hope it will yet be adjusted, but I know the news of this will augment the flame in Scotland. It is no winder that the government in Scotland is not more active, for in interrigues and the begining of goverments it cannot be otherwayes until they be fully sattled and ours cannot be so til the Parliament meet and order severall things. You may be sure there are practices amongst the ill wishers to the Union now at worke both at home and from abroad and we know them pritty well, but I hope they will come to nothing. Lord send us good news from abroad. The knot of the Union is once tyed and I'm sure it cannot be easily undone, for it wou'd shake the whole island; so it will force its own way throw all difficulties. The Equivalent will be made easie, as I was alwayes sure of, notwithstanding of some peoples blaiming us. I'm not much surprized at the uneasiness of the brewers at the changeing of their method of excise, but all that I'm very hopefull will come right about. God forgive some of our own countrymen for fomenting and incressing the dissatisfaction which cannot but postpone the good effects of the Union. As to the jiliousies and differences amongst some of the Queen's servants you wryt of, it may be true tho' their is no open breach, but our own intrest will force us to stick togither. . . . . Parties here are broak amongst themselves and if the Scots members manadge themselves right and stick togither they will appear to be of consequence; but I'm affraid this is more to be wisht than expected.

Lord Grange to the Earl of Mar.

1707, September 2. Edinburgh.—I wrote a good whille ago that you would send me a factory for uplifting the mony due to you out of the Equivalent, which I wish were comed. Tho' I doubt not but you have heard of all the janglings and work which has been occasioned here by the Equivalent, yet I designed evry post to have written about it; but my letters were allways so long without it that I delayed it. Tho' the way in which that affair has been manadged in Council and the parts that severals acted both in Council and at the meetings of the commissioners appear to me pretty odd, yet I must confess that our people here seem to be so uncertain of one aneother and sometimes act so strangely that I am at a loss what to think of them. But I will not trouble you with that now, only the Squadrone have all along seemed to be the most zealous and forward in the measures of the Union, and I doubt not but their friends at Court will endeavour to improve it to their advantage. I wait frequently on the Chancellor and make him all the speeches I can to show how much you value him. He has ane address signed by all the Lords of Session (except Lauderdale) to the Queen for augmenting their sallarys, which I wonder how I have all this whille forgot to write of. The Lords ordinarly

appoint so many of their number as a comitty to look after and considder their common affairs. Of this number were appointed last Session the President, Tillecultrie, Minto, Cessnock, and myself. The Saturday before the Session rose we were all (except Cessnock who was accidentlly absent) invited to Craighouse by Sir James Elphinston, our factor, and after talking of the ordinary affairs of the Lords, the President fell a speaking of augmenting our sallarys, and they agreed that a representation should be drawn up to be presented to her Majesty about it. This the President was to make a draught of (which he employed the Advocat to do for him) and lay before the Lords. Upon second thoughts I began to think that it were better not to propose any such thing publickly till once the mind of the Queen's servants at Court were known about it, and allso till the Chancellor and Register were spoke to in particular; and I never doubted but the President would speak of it to them two. However I was resolved to do it; but the hurry we were in made it some times go out of my mind, and at other times when I did remember it I had not ane opportunity to do it. So the first time I heard of it again was when the President proposed it on the bench and offered the draught of it. The Register chanced to be standing beside me, and I askt him whether it would not have done better to have first known the minds of our friends above, but he told me he had never heard anything of the matter before. However, he and all the rest joined with the proposal, only the draught offered by my Lord President did not please them so well, and therefor my Lord Minto was desired to prepare ane other, which he did accordingly against the next day (which was the last of the Session) and it was signed by all except Lauderdale. This is the history of it, which I think were not at all proper to be known as from me. There has been a story going these two or three days of ane insurrection designed in the Highlands and of a meeting that was to be betwixt the D[uke] of At[hole], the Earl of Br[eada]lb[ane], and L[ord] Dr[ummond]; but I will not trouble you longer at present.

Sir David Nairne to the Earl of Mar.

1707, September 17. Whitehall.—Yesterday I caryed to the Queen commissions for the vacant companies in my Lord Strathnaver's regiment and the other commissions all blank. You know the Queen's good and meek temper, and really it surprised me to hear her say soe quickly, Is not the names of those filled up whom the Earle of Leven had recommended? I told her Majesty that my Lords the Secretaries had got letters from severall pretenders to the vacant company and that your Lordship had directed me to lay the clames befor her Majesty. She told me (which was spoak by way of reprimand) that she thought I had knowen that her Secretary for England never medled with affairs of the armie and that she had told your Lordship and me oftener than once that she wold only doe in

the armie in Scotland as the Earle of Leven had or should advise and recommended, and asked me very peremptory if I had not by her commands write to your Lordship and the Earle of Loudoun this her minde. I told her Majesty I had done soe and that even in this cace neither of your Lordships had recommended, but that you were oblidged in your stations to ley all the caces of her subjects befor her and that she was free to dispose of her favours as she thought fit. She said she never thought herselfe a fitt judge to know what men wer to be imployed or preferred in the armie and therfor she had trusted that to propper persons and that application must be made to them, viz. :—to the Duke of Malborrow here and the Commanders-in-chieff of her forces in Scotland and Ireland. I told her Majesty that evrie body who are not gratyfyd wold complain, and if they applyed to the Secretaries, who hithertoo have been the propper persons for what concerned Scotland, and they had not represented it to her Majesty they were only to blame, and when perhaps the party who thought himselfe agreved shou'd find some way to let her Majesty know it, and perhaps she might think there was hardships done, which might have been prevented if she had knowen the cace in time. Therfor I thought with all submission the Secretaries were oblidged to ley befor her Majesty ev'ry man's cace. She said, In all things except as to the armie : and her Majesty has positively commanded me to signify her pleasure to your Lordship and the Earle of Loudoun that whatever any man's pretensions are to posts in the armie that your Lordship write back to them to apply to the Earle of Leven. She has sign'd all the commissions blank, but with a command that I part with none of them till filled up and by the Earle of Leven's directions. Her Majesty says that when severall people writs to your Lordship for any place in the armie, and your Lordship ley all the pretentions befor her she can but chuse on, and it's only she that disoblidges all the rest, for that you have done all required of you by laying them to be determined by her. I told her Majesty that I had reason to believe in this cace there wold be complaints of hardships and particularly the Earle of Sutherland upon Captain Hepburn's account. She said she wold not break her rule. However, I got her Majesty's leave to lay all the pretentions befor her. I own I never knew her Majesty speak as she did, and I am convinced she must have some reason for it, that I can only guess at.

I laid befor her Majesty the Marquis of Lothean's, Lord Polwarth's cace. She said it was a cace she could not tell what to say to but as she was advised by propper persons, and ordered me to speak to my Lord Treasurer about it. The Prince was by and said that was a propper subject for the Court of General Officers. I told his Highness there was noe such court established here. In short, I dare venture to assure your Lordship if it come to a publick hearing here the Marquis will lose by it, and I am sure it will be for the interest of both to have it accomodate by friends.

THE DUKE OF MONTROSE to the EARL OF MAR.

1707, September 22. Glasgow.—Your Lordship has heared before now from my Lord Seafield of Robert Murray's being apprehended; yow'l easiely belive that I was not a little surprysed to have a visit from him in my own house. He came to this place on Thursday; was seventh night in company with the Earls of Erroll and Linlithgow. The Justice Clerk happened that same day to come to my house too. When I was last at Edinburgh, my Lord Chancellour had shouen me the Earl of Loudoun's letter and Mr. Harly's concerning Mr. Murray, as he did afterwards to the Justice Clerk. Next morning after Murray came here, the Justice Clerk and I having furst spoak together, he was by his order apprehended by Colonel Sharp, and detained in the garde till we seign'd ane order to the magistrates of Glasgow to receive him, and to be keept in the tolbooth till further order. I wrote immediately to my Lord Chancellour, who no doubt has signefied to your Lordship's alreddie what was done. I had tuo lines from his Lordship by the officer of dragouns that commanded the party which carried Mr. Murraye from hence on Freyday morning. Tho' I know nothing of his story, it was a little odd upon my word that that gentleman should have come to my house, since he ouns as I'm told that he was in France, tho' sent thither as he says upon my Lord Winton's account. I did not see him since he was committed. I belive whatever projects are in head amongst these sort of people, yow have much better information of them above as we have here.

MR. SECRETARY ST. JOHN to the EARL OF MAR.

1707, October 5. Bucklebury.—I received the honour of your Lordship's letter of the 19th of the last month just as I was coming to this place, where her Majesty has been so good as to allow me to spend a little time.

Captain Vause has so good a reputation in the army, and I have seen so much proof of his diligence in promoting the Queen's service, that he shall not want any good offices of mine; but if I had been indifferent to him before, your Lordship's recommendation would have made me active in endeavouring to advance him.

I hear all the vacancys occasioned by the battle of Almansa are filled up in Spain, whereby great injury will be done to some gentlemen that were absent from Spain by command. This I take to be Captain Vause's case. But until the collonels of the several corps arrive, or att least till we have an authentick account of the promotions made by Lord Galway, it will not be very proper to apply for relief. *(Signed)* H. ST. JOHN.

LETTER REGULATING THE SCOTS PACKET.

1707, November 14. Whitehall.—The Queen having taken into her consideration the great charge of her Scots Secretary's

pacquet betwixt London and Edinburgh, by the great number of letters noways conerning her Majesties service which severall people send that way to save the postage, and her Majestie haveing now ordered all the letters of those who are members of Parliament to be frankt, by which there will be [no] occasione for their goeing in the Secretary's pacqeut, therfor she has been pleased to regulat what letters shall goe in it, and has given us orders that non be received att the respective offices att Whitehall and Edinburgh but those to or from her immediat servants, as the Officers of State, the President of the Councill, Commander of the Forces, the Admirall, the Justice Generall, the President of the Sessione, the Lords of Treasurie, Secretary Deput, and their principall servants. And her Majestie expects that non of those whose letters are allowed to goe this way, will suffer other people's letters to goe under their covers. Therefor in time comeing you are to take cair that this be observed att your office att Whitehall as it is in the office att Edinburgh, for which this shall be your warrant, her Majestie having so ordered it. *(Copy.)*

R. Cotton and Thomas Frankland, Postmasters General, to the Earl of Mar.

1707, November 14. General Post Office.—The cover of his Lordship's packet and that of Lord Loudon having been broken in transit, the letters therein became dispersed, and disclosed the fact that a number of letters were thereby transmitted on which postage ought to have been paid. He has put the State and franked letters in one packet and the others in a separate packet, as per the following note:—

Letters out of the Scotch packquet.

Unpaid at 5	1 : 12 : 11
Members	1 : 10 : 1
State	1 : 10 : 10

His Lordship will thus see how much her Majesty's revenue suffers by this being done every post, and give directions for preventing the same in future.

George Mackenzie to the Earl of Mar.

1707, November 15-26. Turin.—We hear by our last letters from Leghorn that the *Dunkirk* and *Pool*, two of her Majesties ships, were arrived there, they being part of Sir Thomas Dilke's squadron, who was also expected at that place very soon with the rest. We hear from Milan that that state has appointed the Marquis de Castiglioné and the Count d' Oppitone to go and wait on their King at Barcelona, to solicit his Majestie for the confirmation of several of their privileges with some private commissions relative to their country. These gentlemen design to go aboard some of her Majesties ships who are on their departure to Barcelona. We are told the state of Milan has sent two deputies to Vienna upon this same occasion.

The Emperor's envoy having receivd his master's orders to signify to the Duke Savoy that the Emperor is willing to treat of an equivalent for the Vignevanesis, Commissaries Count de Vernon and Mr. Melerade are nominated on his Royal Highness part for settling that grand affair.

Turin, 30th November, 1707.—Letters from Genoa of the 25th show that Sir Thomas Dilkes and his squadron are on their way to Leghorn. About 30 British and Dutch ships are in these seas, and no force can be sent forth from Toulon to match them. "Sir Thomas Dilkes advised that Lerida surrendered the 11th instant, and the garrison marched out on the morrow with the usual marks of honour. This exposes Catalonia to the incursions of the enemie." The French have 15 ships in the Gulf of Lyons to intercept our squadron.

Lord Grange to the Earl of Mar.

1707, November 22. Edinburgh.—People here talk (as in ordinary) sometimes one thing and sometimes any other of the politicks, which storys are all so trifling (now since the division you was afraid of is over) that I shall not trouble you with much of them. They talkt a whille that the Dukes of Argyll and Montrose and Roxburgh were forming a sort of triumvirat to head the Squadrone, and of great alterations to be made in our session, particularly that we were to be divided and such a number of us sent to Aberdeen, as many to Glasgow, etc., which nobody seemed really to believe, but many thought fit to say that considerable alterations were certainly to be made, and that letters insinuating such projects were sent down by some great men. . . . . You'll know no doubt before now that Mr. Murray is set at liberty. . . . . The storry in this town is that by Drumelzier's interrest with Tweedale and the rest of his friends, they procured his enlargement that he might not upon too closs examination, now that Earl of Winton is com'd home, tell tales of that gentleman. The unexactness of the standards sent down from England surprizes evrybody, the quart and gallon of the ale measure not at all answering to one ane another, of which no doubt you have heard a good whille ago; and in my humble opinion it is odd that the people concerned here (as the Commissioners of the Customs) have not so much as try'd the standarts of weights as yet.

Mr. Secretary St. John to the Earl of Mar.

1707, November 28.—Being myself obliged to attend my Lord Treasurer this morning, I send Mr. Lynn with the estimates for Great Brittain, which will be this day lay'd before the House of Commons. Those for North Brittain are calculated as was agreed upon att your Lordship's house, and if you please to sign that part, I hope it will meet with no difficulty in the House.

THE EARL OF MAR to his brother, the LORD GRANGE.

1707, December 2. Whitehall.—Our noble Squadronie resolve to make use of their time and to leave the Crown as little power as possible, and also to leavell other people all they can by lesning the power of our jurisdictions, and to take them away if they can, I realie belive, tho' it break that article. The English wou'd never have thought of those things had they not been promt to it by some of our people. It is comicall to see Mont[rose] join in those measures, but he is a philosopher and stolen off his feet by his old friendes. It is no less mirry to see Ar[gyll] join with them, but anger at the Court for not provideing his brother immediatly is the occation of that. I'm sure all this will be thought odd at Edinburgh. The pap, pritty man, is e'en relapst to his old way and companions, after severall long conferences with me, so fair him well. The Court continows firme in our way, and desire us to do so too and they will support us. I wish they may do so, as I have ground to belive that they realie will. I'll long to hear from you of those matters, and you wou'd take occation to discourse the Regester and Advocat about them. The Justice Clark certainly is in with the Squadronie in their new schames and keeps intelligence with them, so that may keep some of the Presbiterians from disliking them so much as they wou'd do. I must confess that I wish that people wou'd raise a clamour against those new schames, but they seem to favour the anteunioners so much that I'm affraid they will all be pleased with them, at least at first, tho' that's just as the humour takes.

SIR SAMUEL MCCLELLEN to the EARL OF MAR.

1707, December 2. Edinburgh.—Consideration of the salmon fishing by the Convention of Burghs, which is found much decayed through killing the fish in forbidden time. As an experiment the commissioners of the Northern burghs in the shires of Mearns, Aberdeen, Elgin, Forres, and Inverness, applied to Col. Grant, commander of the Independent Company in that district, and he posted his men as watchers in the high country at the rivers and tributaries with such success that more has been effected in remedying the evil in this way in the past six months, than by the ordinary process during the last twenty years. As his men best know the creeks and branches of the rivers, it is hoped her Majesty will not only consent to their remaining at this employment, but to an increase in the number of the rank and file.

LORD GRANGE to the EARL OF MAR.

1707, December 9. Edinburgh.—The Register, with whom I have spoken several times since these news came, was on the first accounts extreamly sorry and surprized at them, and still is. I told him that the Court had desired you to continue firm against these measures of the Squadrones and promised

to support you, of which he was very glad. I showed him your letter I got this afternoon (there being nothing in it but what I thought he might see), and said to his Lordship that I thought he should endeavour to fall upon ways to make it known among the English how disagreeable to the wholle country these proceedings are, and that he might get people (without his being seen in it) to write up as much to this purpose as can be, which he seemed to approve of. He is to write this night to the Chancellor, but I fancy will not have time to write to any others, for we were in the Session house from 3 in the afternoon till after 6 upon the two Conservators' affair; of which I shall only tell you by the by that Sir Alexander Cumming after much litigious debate has won the cause, tho' I fancy we may still get reclaiming bills from Sir Andrew Kennedy. Whether Sir Alexander carry'd right in geting that commission or not is not now the question; but that Sir Andrew deserves most abundantly to lose his, and has malversed most horribly both by a total neglect of all that belonged to his office and acting directly contrary to his trust for the sake of gain to himself, is made appear as I think (and as the Lords have found, tho' with some strugle) most evidently, and that not only before the indemnity but even since that time, for Sir Andrew thought to have sheltered himself under it.

You cannot well imagine the consternation and surprize that evry body is in at the taking away of the Council and these other proceedings pusht on by the Squadrone. Salton, the Marquis of Annandale, and some of that kidney are rejoycing at them, but they tell people at the same time that these are the effects of the happy Union; and this afternoon, before the Lords went up to the bench, even Anandale was exclaiming against this new project of the militia as a most horrid burthen on us. In a word all sorts of people, Unioners and Anti-unioners, Episcopal and Presbyterian, are thunder struck with these news, and I pray God they don't turn exasperate to the highest degree if these proceedings be not stop't. I assure you I don't exagerate the matter at all, for these proceedings seem to sink so deep into people's minds and make them so wild and desperate, that I think the Union more prejudiced by this than any thing that ever happened. The clamour about the wines, the high excise, and all these matters seemed light in respect of this. Evry body knows that it is the Squadrone's doings, and really the most part seem to do the English the justice to believe that they would not have thought of such things nor proposed them were it not for the Squadrone, who have thereby rendered themselves so extreamly odious, and have given people such a character of their spite, malice and rash inconsiderate forward-ness, that one can hardly be anywhere without hearing them exclaimed against as the worst of men. People know that some of the English oppose their measures, and I believe that if we get more instances of their doing so (especially if thereby any of these measures come to be defeated), very many people in this country will be more reconciled to the Union and put

more trust in the fidelity of the English and the security of our rights and libertys by being united to them than ever they would have done otherwise. I wish it may be taken care of that evry post all the instances of this kind may be written down to somebody or other who can let it be known among our people, whom nothing can satisfy so much as to know the particulars of all these matters, and how both English and Scots carry in them. This day I chanced to see Mr. Webster, the minister, who told me his own sentiments and the sentiments of his brethren. In short they begin now to lose any hope they began to entertain of their security, tho' before these proceedings of the Squadrone they seem'd evry day to turn more and more satisfy'd with the Union. After all, it is very hard that the misrepresentations of the Squadrone should have any influence, for I believe that if North Brittain were pole'd upon it, there would not be found fifty men in it to join them.

MR. DAVID ERSKINE to the EARL OF MAR.

1707, December 11. Edinburgh.—We are not a litle surprised here at the proceedings of the Squadrone, which is a party that's turned most odious to this countrey; and I must own that I contribut all I can to raise a clamour against these levellers. I shall be sorry if they prevaile in their politicks.

EARL OF LAUDERDALE to the EARL OF MAR.

1707, December 13.—I thought it my duety to acquant your Lordship of the preceedent of the recoynage of our money (having the honor to serve her Majesty as General of the Mint of this place of the United Kingdome). My Lord, it hath succeeded beyond expectatione, and I hope wee shall be able to performe that which was expected in the recoynage. My Lord, I most sincerly acknowledge that a great pairt of this performance is due and ascryveable to the knowledge and industrie of Doctor Gregory, who since he came here upon that account hes rendered himself acceptable to evry bodie thairin concerned, yea, even to bystanders, for he condescended to assist and direct in the meanest pairt of any thing that concerned the coynage. He has been the happie phisichian that came and did know our disease, and lykewayes did apply the proper remedy.

My Lord, I begg leave lykewayes to say that it has been a verry happie chance that he was sent hither, he beeing acquanted both with our temper and circumstances; for if on the contrair, Ovan, who was a strainger to both these, hade been sent hither, both her Majesties service and the natione's intrest might have been retarded. My Lord, I want expresiones to recomend Doctor Gregory to your Lordship's favour, only this I begg leave to say (with all submissione to her Majesties will) that his reward is not suteable to the paines he has been at, and you are the proper persone to whome I can address myself for the augmentatione thereof.

LORD GRANGE to the EARL OF MAR.

1707, December 20. Edinburgh.—People here are still of the same sentiments about the Squadrone that I formerly wrote. Tho' some people are pretty well pleased with one part of their proceedings and others with other parts of it, yet upon one head or other allmost evry body is angry at them. Annandale made a jest of the Council's being taken away, and lookt on it as a mortall blow to the Duke of Queensberry; but when he heard of the militia and the heritable jurisdictions, he found no jest in that at all. The Duke of Hamilton has been in town some days; they say he is going for London. He is very angry at Squadrone, but your uncle Kelly tells me that his Grace speaks as if he inclined to join the Union party. . . . . The Advocat is still indisposed and keeps the house. I hear he has written up that it was his oppinion that the 15 days of prevention ought to be removed. I was some nights ago in company with my Lord President and the Register, and speaking of that same affair the President said he was heartily glad of anything that impaired these heritable jurisdictions for they served only to support greatness, and ought therefore to be intirely demolished. . . . . People talk't very much about ten days ago that the Squadrone were to propose three presidents in our Session, which I confess was generally very well relished, and the Squadrone having endeavoured this formerly in the Scots Parliament, made it believed. My Lord Annandale, too, told some people that in the last Parliament when you were on the 19th article, he sitting beside Roxburgh, asked him why he did not now insist for his old proposal of three presidents, who answered that it was not a proper season, but if ever I be in a British Parliament take my word (said he) you shall hear of it. I make no doubt but my Lord President as to his skill and abilitys deserves his post better than any on the bench, and if it should happen that other two be joined to him, I pray God that the next best may be pitched on, for whoever ventures to undertake it must either be a thorow lawyer of much application, experience and readyness, or else he must be ane unworthy brute who would venture to expose himself and harm the liedges in a post of so much importance, of which he could not handsomely acquit himself.

LORD GRANGE to the EARL OF MAR.

1707, December 25. Edinburgh.—There goes a story here among some folks that the Earl of Seafield met with a little mortification in the House when our Exchequer was under consideration, and that very high things passt about the affairs of Spain in regard to my Lord Marlborrough. People here begin now to think that the Squadrone is not invincible in the British no more than they were in the Scots Parliament, for they talk that you are like to defeat all their five resolves except that of the Lords of Justiciary going circuits.

THE EARL OF MAR to his brother, MR. JAMES ERSKINE.

1707. Undated.—This being the day in the House of Comons for considering the Union, I was there til our dinner was turnd to supper, and now 'tis late, so I have only time to give you a short account of it. Sir James Campbel proposed in the House that our Act of Security should be read, and after it was done he proposed that an act rescinding it shou'd be brought in. He was seconded by Gleneagles, who also proposed that the militia of Scotland shou'd be put upon the same foot with that of England. The first motion was agreed to, but the last was fit to be proposed in the comitty. So after the House was turn'd into a comittie he renewed his proposall. It was debeat a long while which is too tedious to give you the particulars of, but at last the question was put and it cairied almost unanimously. Then Glenagles proposed that the Justices of Peace in Scotland shou'd have the same power given them as those in England. My Lord Coningsbie proposed that it might be added to the motion, so farr as was consistant with the Articles of the Union. Upon this the 15 dayes of prevention came to be explained and spoke to. Jerviswood said after a great dale of speaking that tho' some people said the giveing the Justices of the Peace that power seem'd to incroch upon the 20 article, yet he cou'd not think so, for that article ought to be explained by others that were more clear. He followed out this argument a long while, which I cannot now give you a full account of, but if this be the way that the articles are to be explained and by our own countrymen too, I most confess I see not what security we have. It was even surprizing to severalls of the English. If they go on at this rait, will not our heritable jurisdictions and jurisdictions for life be worth much. I'll long to know how those things will be taken in Scotland. It is very probable that those who opposed the Union will laugh at some of us now who were so violent for it, but this affair is not yet over. Some of the English said since the Union itself came to be in question, I mean if this incrocht on it, it was fitt to delay this affair; so the House was reassumed and the comitty is appointed to sit again on Teusday nixt. This with the militia is what is proposed in lew of the Councill, two noble securitys; Teusday will let us know if they will propose sircuits of the justice court also, as I hear they have under their diliberation. I'm told too that they are to propose the dividing of their session, and since their hand is in, the Lord knows where they will stope. By the minuts of our House, you will see how we proceed about the Admiraltie and how we have paved the way to the Cabin Councill. The high Whigh and high Torie seem to be combined to attack the Court, and Scots politicks and changes does not serve some of our people, but they seem as forward in this project too as either of their two setts of friends I have mentioned. Heavens knows if this be for the nation's service at this time a day.

1707.—Note about teinds in the North in 1707; with list of heritors in the parishes of Kippen, St. Ninians and Gargunnock;

also Memorial for Mr. William Gordon of Balcomie in 1710, claiming compensation for his ancestor, James Learmonth's attempt to civilise the Island of Lewis in the reign of King James the Sixth, and other services to the Crown.

1707.—Papers relative to the foundation of and first admissions to the Merchant Maidens Hospital of Edinburgh.

Civil List for 1707, being a note of the salaries and fees paid.

Copy letter to her Majesty about imports.

Correspondence with the Commissioners of the Equivalent.

Treasury papers relating to pensions and salaries, 1705-1707.

LORD GRANGE to his brother, the EARL OF MAR.

1707-8, January 29.—I'm very sorry to find by yours of the 24th that it is too true what has been talked here for some time before of the Squadrone's carrying all in the House of Commons. For anything I can hear, that party is very far in the wrong still to assert that their proceedings are satisfactory to the generality of the people in this country. I think that nobody is satisfy'd with them except their own particular friends. When the news of their projects first came among us, there was a general and very grievous outcry against them, and I know of no change except they will reckon the generality now to have become their friends, because they have allready expressed so much dissatisfaction and railed at them so much and so bitterly that they have nothing left to say. But people seem still very dissatisfyed with them, and allways express their joy when any story happens to go of the Squadrone's losing ground; and evry body here speaks of that party as the most selfish, interrested and spleenatick set than can be. But one may easily observe how differently these disgusts and resentments work now on the people's minds from what they did before the Union. For then there being a sort of government here, and a Parliament's being to sit in which all sorts of people hoped allways to can do something or other, that made them much more crouss and brisk, and they had something wherein their thoughts fixed and to which their reasonings and projects terminated; but now they being wholly in the mist, not knowing what our Government is or what it will turn to, and being pretty ignorant of the humors, interrests and views in Parliament, in which the most of people here think they can never have much to say, our representation in it being so very small; all this makes them that after they have scolded their fill at any party or proceeding they even fret a litle, and when they have done, know not what to think nor where things will land. This, according to what I can observe, is a true account of the sentiments of the generality concerning the Squadrone; but they fancy that the English can not but relish their proposals, tho' at the same time the most of people seem to own that any of these too sudden alterations at this time are

entirely owing to the Squadrone, and that the English would not have driven on things so had not the Squadrone pushed them to it, but would have honestly stood to the Treaty, and suffered our former constitution to have worn out by degrees and gently slip into the same with South Brittain. I still think that if people in this country find their rights and priviledges maintained and their trade encouraged that they will be fond of the Union; but if otherways, and if any occasion of disturbance or reeling times happen, I'm much affraid that there may still be a great deall of uneasyness about it. I'm sure it is in the power of the Government and Parliament of Brittain to make the Union not only durable, but most acceptable and advantagious to this country, as I expect it shall. Our high flying Presbyterians are the old people still. I doubt not but you have heard that the late Fast was not observed very well in several places because forsooth it was not appointed on the application of the Kirk. It is a good thing that now both high Church and high Kirk join in their principles as to screwing up the power of the clergy; which I hope will teach people that Church and Kirk are at the bottom much of the same kidney, and that neither ought to be too much indulged or trusted to. I'm only afraid that our madcaps here provoke the Government some time or other to be severe upon them, and that would put us all in confusion. But I'm perswaded that by right manadgment these extravagant notions will wear out, and then I shall heartily wish that Presbytery in Scotland and Episcopacy in England shall for ever be established, and so we'll be no longer troubled with the fury and impertinence of biggots on either side, but honest men will get leave to live in peace securely.

Mr. David Erskine to the Earl of Mar.

1708, February 3. Edinburgh.—I'm desired by one, Mr. Corse, writer here, to inform your Lordship of a recommendation he had from our last session of Parliament to the Queen, in order to be gratifyed for the preservation of the Recorde of Privy Seal during the troubles in King Charles the First's reigne, which were preserved by carrying them to the Highlands, with much pain and trouble. He has transmitted the inventory of the records with the Parliament's recommendation to the Chancellour, who will concurr with your Lordship for having some equivalent given him.

The Earl of Mar to his brother, Lord Grange.

1707-8, February 5. Whitehall.—In this very cold day I'm come from seeing the Scots Councill perish. The bill was read in our House a 2d time to-day, and afterwards we were in a comitty upon it, where it was debeat fully, tho' we might have saved ourselves the pains, for all the tories and high whigs and all the bishops, save two, joined against the Councill, tho' we

only proposed its continowing til the first of October nixt; and so we were defeat by five. We putt off tho with a strugle the going upon the rest of the bil till Saturday, but when I belive the other clauses will pass the same way. All the Scots who were against it were the Dukes of Montrose and Roxbrugh, the Marquess of Tweddale and Earle of Sutherland. The Bishop of Sarum was chearman, and violently against it. It determins now the begining of May. I wish that we may not have laid a fundation for reviveing it again, and continowing it longer than any of us had a mind to. The two great and I may say the only arguments against it was that it wou'd have an influence on the elections, and that if it were continow'd to October it was the same as continowing it for ever; which tho fully answered in sence and reason as I thought, yet it went as I tel you. The Court appeared with more warmth for it than anything I have seen them speak to in the House, but that wou'd not do, so thers an end to that matter, and against I wryt nixt 'tis pritty sure that I can tel you the same of our jurisdictions; and if this be (I may say it yet), I'm affraid the Union is not uncrackt. I know not what people's oppinion in Scotland will be of it, but I shall be glade it make not more enimies to it than there was, and that was too many.

THE EARL OF MAR to his brother, LORD GRANGE.

1707-8, February 10. Whitehall.—By the last post I ordred Rait to send you a copie of the Act concerning Scotland as it is past, for I had not time to write myself. He wou'd tel you that notwithstanding all we and severall of the ablest of the English could say of its being directly a breach of the 20th article of the Union, yet we lost it by 7. I send you a copie of our dissent which is as strong as we cou'd be alow'd by the House to make it. The Duke of Queensberrie got coald at the birth night, and has been so ill that he has not been able to come abroad since, so that he cou'd not signe our dissent, which is no small grife to him. The more that see the dissent the better, tho' I wou'd not have it comeing directly from you. I shall be glade to know what people with you of all kinds say of this affair, and of our different partes in it. I wish with all my heart the incroaching on the articles have no bad consequences, nor be not made a preparative, but I'm mistaken if those who have been the occation of it be not the first who repent it.

There is a great change at Court. Harley is out, tho' it has cost no little work to get the Queen to parte with him. 'Tis said that more of his friends will go out too. Upon this the whigs and the Court are likly to be better together, but a little time will show what effects those changes have.

DOCTOR PITCAIRN to the EARL OF MAR.

1707-8, February 10. Edinburgh.—Most noble patron, I presumed to recommend your owne mathematical professor,

Mr. Charles Gregorie of St. Andrews. That college will not receive him, and laughs at her Majestics patent. What to doe I know not. But, my Lord, there is a thing in your Lordship's power, independentlie of Council or presbyterie, for our friend, James Hamilton. It is a post no man in the nation (I mean now the island) can behave so well in as he can. I beg your Lordship may be forward in it, least some insignificant southerne put in for it. Our surgeons are abler far than our neighbours, and it is just wee should be served by the best of our owne. Your Lordship's, PITCAIRNE.

THE EARL OF MAR to his brother, LORD GRANGE.

1707-8, February 19. Whitehall.—Thers a strange jumble here just now, for tho' Harley be out, yet the Court is not yet intearlie well with the juncto of the whigs, and they are not yet well pleased. Time will show the event of those matters. I wish all may be well, but indeed things look odd. We are now frightened with the preparations at Dunkirk, tho' some people pretend not to belive it. I wish it come to nothing, but I'm sure we have reason to apprehend the consequences of it if there be an attempt made by them on any place of this island. I know to whom I wryt all this.

THE EARL OF MAR to his brother, LORD GRANGE.

1707-8, February 26. Whitehall.—I wrote to you before of our news from Dunkirk. We have accounts since that they still go on with their preparations, and are imbarquing armes, ammunition, etc., and have 22 battalions lying there to be shipt. People talk differently where this desent is intended, but 'tis thought most probable for Scotland; upon which the Queen has thought fitt to wryt a letter to the Councill of Scotland (of which I send you a copie) to show that she is not unmindfull of the saiftie of that parte of her kingdome. Upon this the councelours wou'd attend and have a watchfull eye and give what information here they can, but until their be further orders given them they cannot do much more. I wryt this only for your own use that you may know how to behave yourself. My Lord Leven and all our officers here are in a reddiness, and if the news incress they will immediatly go down. Invitations from Scotland and the noice was made here of the fleets being in so bad a condition has probablie made the French undertake this, but now there is by this time I hope so good a squadron in the Downs, and such good orders about other things given, that when the French knows this 'tis probable they will give over the interprize. A certain kind of people here, and amongst them our Squadronie, will belive nothing of all this matter, but say it is a trick of the Court; I wish we may not be convinced of the reality of it with a wittness. I send you incloased yesterday's Courant that you may see the different oppinions people have of this affair.

Yesterday in a comittie of the whole House of Comons the Squadronie endeavoured to invert the classes of those to be payed out of the equivalent. Bennet, Sir Androw Home and Mr. Cockburn, I'm told, spoke most reflectingly and scurvily of the Parliament of Scotland upon this occation, but they did not carie their point. Sir David Dalrymple took them up for their reflecting on their country and the Parliament which is now no more, for which he was apladed by the House, and they have gained no credit by their attempt.

THE LORD HIGH TREASURER to the EARL OF MAR.

1707-8, March 2. Treasury Chamber, Tuesday at 11.—My Lord, I give your Lordship many thanks for the favour of your letter. It will not be possible for mee to attend the comittie this morning, being just now going to Kensington, and must therefore begg your Lordship's excuse. I write to my Lord Glasgow to make my excuse to the comittie, and to give the papers there which they expect from, my Lord, your Lordship's most obedient humble servant, GODOLPHIN.

LORD GRANGE to his brother, the EARL OF MAR.

1707-8, March 2. Edinburgh.—I received yours which came with the express yesterday morning. The Council met and after reading the Queen's letter, Major General Maitland was called in, who gave account of the condition the forces were in and where they are quartered, and was ordered to command them all to be in readyness to march on the first advertisement. Want of ammunition and arms in the country for supplying the garrisons and forces, etc., was taken notice of, and Maitland told that he had many times represented it to the Queen's Scots servants, and at length to the Duke of Marleborrough, and that he hoped now to be better provided in a short time. He gave ane account of the condition of his garrison at Fort William; and as to the rest of the garrisons the Council ordered the commanding officers for the time to be sent for that they might tell what state their respective garrisons were in, and receive the necessary orders about them. All the councellors were ordained to be advertised to attend; and the sheriefs, magistrates of burghs, etc., to be ordered to take notice whether any people in their districts were stirring, or providing themselves more than ordinary with horses, arms or ammunition. Then it was considdered what security should be taken of suspected persons; and the north country, especially some of the Highland chiftains, being lookt upon as most obnoxious, the clerk was ordained betwixt and the next meeting of the Council (which is to-morrow) to look out and lay before the Council lists of those chiftains and others whom the Government looked upon as most suspected, and was endeavouring to bring under baill some years ago, as allso reports made by order of Council about

the same time of what arms, etc., were in the Duke of Gordon's lands and elsewhere among those who were Papists or disaffected to the Government, that the Council might considder what was to be done. This occasioned severals of the Council to complain that notwithstanding the many complaints there has been made of the encrease of Popery and the swarming of priests openly and avowedly in many places of the North and of Galloway and Nithsdale, that yet nothing was effectually done to restrain them. Earl Seaforth was allso instanced, who having been carry'd abroad to be confirmed Popish, and being brought back by the desire of the Government, yet had priests about him and others of that religion, which is not the way to make him turn Protestant.

It was allso urged that it was no wonder the Jacobites should take courage to enterprize something, since up and down the wholle country, and even here in Edinburgh, there are a great many of the Episcopal ministers who without the least check keep open and publick meeting-houses, who yet are so far from praying for the Queen as the law requires and good subjects ought to do, that in a manner they pray and preach for the pretended King James the 8th. Upon this the Provost of Edinburgh was asked concerning those Episcopal ministers who keep meeting-houses within the town's jurisdiction, and which are a great many. He told that he had called severals of them before him and asked them whether they prayed for Queen Anne, who answered that they did not pray for her but that they prayed for their soveraign and all the Royall familly in general. Some of them added that their auditors would desert them if they prayed for the Queen by name; and being asked whether they would now and in time coming pray for her as the law requires, but none of them would say that they would pray for her, and some of them said that they behooved to have some time to think on it before they would give ane answer. None of them, except one Mr. Walker, said they were willing to pray for the Queen, and he said he was very willing to do it but that he durst not because he subsisted by the charity of his hearers, who would all desert him if he should so openly declare himself for the Queen. And none of these ministers observed the late fast, except this same Walker, if I remember right. The Council enquiring how it came that such insolence to the Government had not been taken notice of, the Advocat began to blame the Provost; but he said he had frequently acquainted the Advocat of it, and desired his advice and concurrence. It all ended in this that none should be allowed to preach who did not pray for Queen Anne expressly; and the Advocat was ordained to send the same order to all the sheriefs and magistrates of burghs, etc., in North Brittain.

As to the invasion, the noise of it makes some people uneasy, and others pretend to give no credit to it, at least pretend that they don't believe it is intended for any part of Brittain. But perhaps I'll be able to write of this more particularly the next occasion.

THE DUKE OF ATHOLE to the EARL OF MAR.

1707-8, March 3. Dunkeld. Having the occasion of my son, William, I take leave to put your Lordship in mind that there is 1,500 *lib.* due to me as Privy Seale, and that it is now above three yeares agoe, and I hope it will be thought too long a time to lye under such a hardship. It is like to prove a yett longer time before I can have itt out of the equivalent, wherefore I intreate your Lordship will be pleased to lay this before the Queen, who I hope will doe me the justice to order my payment out of some other fond, and she may be reimbursed out of the equivalent. I am perswaded this will not stick at her Majestie, of whose goodnes and justice I have formerly had experience when I had the honour to serve her; and tho' I was turned out, I supose by some of my old friends, I doe not reckon that a great loss, since I have found it a great advantage to live at home. However, I should have been very well satisfied to have known the reasons were made use of to her Majestie for itt, for I am sure I was guilty of no fault to her Majestie. But att Courts I have heard that is not enough; but it was to serve her only that I engadged, and I was much indifferent as to others favour.

THE EARL OF MAR to MR. GEORGE ERSKINE.

1707-8, March 12. Whitehall.—I'm affraid before this come to your hand that you have heard of the French landing. E'er long there will be such a force sent against them that they and their associats will not be able to stand before; but I'm affraid our poor country and particular persons suffer. I wrote some dayes ago to my brother to wryt to you to put my papers and cabinets into the charter-house, which I hope you have done. The furnitur of the house is not so pratious that I'm much affraid of it, so take not down one bitt of it, but the looss things in the house of any worth, as linning or so, put into the chartur-house or some other sure place which I think better, except a few which you wou'd keep out in case any of my friends chance to come and ly there. You must alow nobody whatsomever to put their goods into the house, as I have seen done upon such an occation, for thats the way to have it burnt. There are some armes in the closet of the cross vault, which you wou'd cause clean and give them out to the prittiest fellows of the toun who you can trust most, and they wou'd keep some kind of guard on the house to prevent its being pilaged or burnt by any loose partie. I hope my people about Alloa will not think this any hardshipe, for I belive non of them wou'd willingly see me burnt out, and this you may tel them from me. I wish you cou'd get the cannon which are in the chartur buried, but it must be done privatly. If the enimie come near you, I'm more affraid that my hay occasion their coming to Alloa than anything, so I wish I had not a pyll; but if you shou'd distroie it they wou'd be exasperat if they came to know

it, and perhaps might do me more mischife than other wayes they would, so I leave it to you to do what you think best as to this. I hope nather friends nor enimies will be so barbarous as to spoil my gardens.

THE EARL OF MAR to his brother, LORD GRANGE.

1707-8, March 12. Whitehall.—I wrote yesterday morning to my Lord Leven by a messenger of the French sailing, of which I doubt not but you will hear before you get this. We long to hear from Scotland, and I'm affraid the French are landed there, but by the superiority of our fleet we can hardly think they wou'd attempt to land in the Firth; so if they have landed I hope 'tis in the North, and if it be so I would have you to send a coach and six immediatly to Stirling to bring your mother, sister and nephew to Edinburgh. I have wrote the incloased to your mother which I've left open for your perusing, and then forward it to her by a sure hand, and also that to George Erskine. There will be such a force sent to Scotland e'er long that the French and their adhearers will not be able to withstand, but our poor country will suffer in the meantime, tho' there will be no fear of the main chance. I have wrote fully by this express to the Earle of Leven, so I referr you to what he will tel you. Our greatest concern here is for the money at Edinburgh, but we hope the Councill will take cair of it that it fall not into the enimies hands.

THE EARL OF MAR to his brother, LORD GRANGE.

1707-8, March 16. Whitehall.—I hope our greatest danger is now over, so that my mother and Tomie may continow at Stirling in saiftie. We must not yet be too secure for all this, for it is posible for them to escape our fleet, and then they may perhaps (tho' not probablie) land in the North or go north about to Clyd. But if they did so, you will not be now surprized as you would have been had they landed now in the Firth as they designed.

LORD GRANGE to MR. GEORGE ERSKINE.

1708, March 16. Edinburgh.—By a letter I had from my brother yesterday, he bids me tell you immediately to secure all his papers and cabinets in the charter-house, but to do it with as little noise as possible. I have some of his papers, viz., rights bought in on the estate of Mar, which I wish were there allso, for they would be more safe in that place than in my custody. The British fleet under Sir George Bing's command attacked the French, who were to invade us, on Saturday last at 4 afternoon off the coast of Angus, and they fought till night. Next morning their canonading was renewed. What has been the event of this engadgment we do not yet know. . . . . Sir George Bing came up above Inch Keith yesternight, and

brought up a French ship in which are 700 men, a lieutenant-general, Earl Midleton's two sons, and Lord Griffon. The rest are all got off scart free, and this morning we hear are lying before Aberdeen; and if so, no doubt they are landed or landing by this time. The enclosed came by ane express this morning from my brother, to which I need add nothing, but if the people of Alloa do not readyly concur to defend both their own houses and my brother's from being insulted, they are strange people.

MR. DAVID ERSKINE to the EARL OF MAR.

1708, March 16. Edinburgh.—Admiral Bing lyes still with his fleet in Leith road, though there be fears of a French landing in the North.

THE EARL OF MAR to his brother, LORD GRANGE.

1707[-8], March 18. Whitehall.—I had yours of the 11th yesterday, and of the 14th to-day. We long impatiently for further news of the ingadgment and are in great expectations of a victorie, which I hope we shall have by to-morow morning. I hope this storme is over, for which we have reason to bliss God.

LORD REAY to the EARL OF MAR.

1708, March 20. Tongue.—My Lord: I'm very much surprised to hear that I'm cited to Edinburgh among these thought dissaffected to her Majestie's Government, since your Lordship and all our statesmen knows how helpfull my friends, relations and followers were in promoting the late happy revolution, having lost themselves and partly ruined my mean fortune by their zeal and forwardness therein. And your Lordships were all wittness that I have been hithertoo a true follower of their footsteps conforme to my power. So that I can't imagine what shou'd make me suspected, save that I was neglected in the late reign, which I can't blame her Majesty for, having neither the honour or happyness to be known by her. But, my Lord, a good action bears its own reward, and as nothing is able ever to make me join in any interest against the present setled Goverment, so I rather ruine myself and family in serving in so just a cause than raise both otherways; and I expect your Lordship, after communicating this to the Earle of Loudon, will both of you do me the justice to assure her Majesty that I'le venture my life and fortune as readily and freely in defending her person and Government, as these who shares most in her royal bounty and favour. The situation of this countrey renders it usefull if their be occasion, being 'twixt tuo that are thought ill-affected, and iff some arms and ammonition were ordered me, which I have acquainted the Earle of Levin of, I can bring a handsome parcell of pretty fellows without one dissafected man among 'em wherever the service wou'd require, and all my own friends and relations.

MR. JOHN STIRLING to the EARL OF MAR.

1707[-8], March 24. Glasgow.—I had the honour of your Lordship's of the 16th instant this evening. I shal not fail to communicat the contents thereof to the Commission when it meets. I am heartily glad that what was so honestly intended as to the Fast had been so acceptable to her Majesty. It will, I hope, have good effects in this countrey, and prove serviceable at this juncture. Great pains are taken here by the ministers to bring people to a right temper and impress 'em with a just sense of their danger upon this invasion, and to dispose 'em to all dutifull affection and loyalty to the Queen. The presbytery here meets weekly and corresponds with all the presbyteries in this province, which is the largest in this Church. This day we had correspondents from the greatest part of 'em, and unanimously agreed to a very dutiful address to her Majesty. It is to be dispatched with this post, and I hope will be followed with moe addresses from other presbyteries.

THE EARL OF MAR to his brother, LORD GRANGE.

1708, March 25. London.—The intelligence we had this morning by the flying pacquet of those ships seen off the north cost, gives us a great dale of uneasiness now after we were in hopes that the affair was over, but we must keep up our hearts the best we can til we hear again. If they do land 'tis probable it will be in the Moray Firth, so we have some comfort that it will be long before they can march south, and the Queen's troups will be in time to meet them more than half-way, so we will not be surprized. Therfore, tho' you hear of their landing, I think you need not be in great heast to send for my son soon; but you upon the place can better judge of the circumstances, so I leave it to you. What Leven wryts of Drummond's going towards the Hi'lands and some other people, makes folks here not doubt of a landing, and think more seriously of the affair than they have done for some dayes past; but I wou'd fain think that those hote headed gentlemen may yet be disappointed. If the French land, I'll be sorie there was not a warrand for apprehending Pan———, but I hope he will not play the fool. I'm just now in Sir David Nairne's drinking his Holiness Glasgow's foie, who goes to-morrow. We must keep up our heart come what will.

MR. DAVID ERSKINE to the EARL OF MAR.

1708, March 25. Edinburgh.—This day we had expresses both from Inverness and Inverlochie with ane account that all is in quiet, and no apearance of the French fleet either on the north or west coasts, so that we are hopefull they are returned from whence they came. Yesterday were put in our Castle Duke of Gordon; Earles of Murray, Seaforth, Traquair; Viscount

of Kilsyth; Lords St. Clair and Ballhaven; Sir William Bruce and Col. Balfour. Those that has not come up upon the Councill's orders or Earl of Leven's are to be charged upon Councill letters to compear under the paines of rebellion, which I believe, will force them all here. Our Councill was a little difficulted in what maner to proceed against peers in case of contemning their orders, whereanent there is a memoriall transmitted with this packet for direction. Last post would advise your Lordship of the packet intercepted from the D[uke] of Athol to a gentleman here, which looks a little misterious.

THE EARL OF MAR to his brother, LORD GRANGE.

1708, March 29. Whitehall.—I hope the fears of the invasion is now over. I'm affraid severall people in Scotland have behaved themselves so foolishly that they have brought themselves in aboundance of trouble. There are more people ordred to be taken up and amongst the rest your friend, Mr. Fletcher, who I'm sure will be very angrie; but if he be innocent, as I hope he is, his friend, the Highland Duke, is the occation of it and there was no saying against it. Say nothing of this until it be publick. I'll long to hear from you what face things have now in Scotland and how people behaves and what's the comon talk. I have no news to send you from this. Now all is expected from you, tho' not so much as was a while ago. The Duke of Marlborough is gone this daie for Holland and I hope the Parliament will be up this week. We will now begin to think of going for Scotland, but after the Parliament all the Scots affairs are to be adjusted, which will take some time.

MR. CARSTAIRS to the EARL OF MAR.

1708, March 30. Edinburgh.—My Lord: Allow me in the name of our Societie to return your Lordship our most humble acknowledgments for the honour you have done us in countenanceing our addresse. I hope that which the Presbyterie of Edinburgh sent to your Lordship will give satisfaction. I doubt not but many other presbyteries will doe the like. I am informed this day that they appear very zealous in the west for her Majestie and her government. We have indeed had a wonderfull deliverance, but, if I may take the libertie to speak of an affair that is out of my road, in my humble opinion we cannot well be in safetie here without a visible force and such a mannagement as may make men sensible that they will not be allowed insolentlie to own their disaffection to her Majesties person and government, for now they have not the shelter of a pretended countrey interest which formerlie they had.

I hope, my Lord, considering that in the wonderfull goodnesse of God we are still in quiet; all thoughts of adjourning our Assemblie will be laid asside, for we can never meet in a better temper, and adjourning may be not a litle inconvenient.

Mr. Palmer to Lord Grange.

1708, March 30. Kilwinning.—Sending the Address by the Presbytery of Irvine congratulating her Majesty on the failure of the French invasion, for transmission to the Secretaries. He mentions "the vigilance and zeal of the ministers here for exciting people to a due sense of the danger and their duty to her Majesty, and the good success we find therein, so that disgusts 'gainst the Union, tho' industriously fomented by some, ar much suspended and mor generally terminat against the invasion. Subscriptions ar increasing for raising and maintaining soldiers for six weeks to serve against our enemies in case of neid and that the Government see fit to call them. Ye will find the Earl of Killmarnock and diverse gentlemen who are members of our Presbyterie signing our addresse. . . . The Presbyteries in Dumfries Synod have likewise addressed, as have the Presbyteries of Glasgow, Paisley and Ayr, and I hear Hamilton and Lenrick intend it."

Andrew Fletcher of Salton, to the Earl of Mar.

1708, April 14. Stirling Castle.—My Lord: Your friendship shows itself by effects not words. My Lady Mar has put herself to so much trouble about me as gives me more than my confinement. But my greatest mortification was from the civilitys I received from Collonel Ariskin to whom of late I never showed common ones. All that I could say for myself was that my prejudices were never personal. You see what uneasyness one falls under by imprisonment, when even kind things done him turne to be of a different nature, especialy to a man who sees himself in no capacity to returne them. You may tell my Lord Colvin we are not locked up here at night, and that we drank all yesternight of the Collonel's good wine and continued till this morning, that he can find no such company in Scotland, and that for his excuse we shall perswade the Collonel to say that he is confined. I am with great sense of your obligations, my Lord, your most humble servant, Fletcher.

Lord Anstruther to the Earl of Mar.

1708, April 15. Edinburgh,—The Earle of Glasgo entred into a state of grace this morning. All the good company in toun waited upon him to the Assembly whose great business is over this day having keept up their fancifull privilidg of meeting once a year, so that the sien will come to a period nixt week and the Commissioner will fall from the state of grace to that of nature; which is an Arminian doctrin exploded by our Assembly.

The Earl of Bute to the Earl of Mar.

1708, April 15. Edinburgh.—Sending a list of the Justices of Peace for the shire of Bute for nomination by her Majesty, and interceding for the liberation upon bail of his brother, Dougald,

and Lord Balmerino. They are quite innocent of any crime and are only suspected because of the Duke of Athole's having written a letter to them, which they neither received nor answered.

THE EARL OF GLASGOW to the EARL OF MAR.

1708, April 15. Edinburgh.—This day the Assembly mett, all in a good disposition to serve the Queen and her interest not only against the Pretender but also against all her enemies; which your Lordship will quickly see by their answer to her Majesties letter, and also by ane address which the Assembly designs to make to her Majesty. Your Lordship hath inclosed what I said to the Assembly upon their meeting.

My dear Lord, your Lordship will with the Queen's other servants be considering upon some proper scheme and posts for Scottsmen. I love to be easy to all that I am in society with. If the Queen with her servants think fit to continue my sallary, my office being fallen, and turn the same into a pension till her Majesty find a post for me, I shall study to deserve it the best way I can. My Lord, I judge the election of the peers will goe verry well, if it be not our oun fault. My Lord Aberdein, my Lord Bute and my Lord Balmerino have been verry friendly and have acted a good pairt. I shall trouble your Lordship with more of this afterwards, only I could wish that my Lord Aberdein and my Lord Balmerino were liberated on baill, for every person is convinced that neither of those Lords is in the least directly or indirectly guilty of any bad practises against the Government. Your Lordship will excuse this trouble. . . . .

My Lord, Mr. Carstares is verry unanimously chosen Moderator of the Assembly, so your Lordship may judge they were all in a good temper and disposition. . . . .

My Lord, the Duke of Atholles friends have given me in the inclosed representation, petition and certificat to be transmitted to your Lordship. I know your Lordship will show all the justice and kindness you can to his Grace; he stands mightily to his innocence. Your Lordship will doe in this as you see in prudence.

THE EARL OF MAR to his brother, LORD GRANGE.

1708, April 16. Whitehall.—I leave the incloased to Salton open that you may read it and then deliver it. I cou'd not wryt it to him, but you may let him know that he cou'd not be sett at libertie just now because those who were taken up upon the same account, I mean the Duke of Athole's letters, are ordred up here with the rest, but as soon as they are gone he'll be sett at libertie, tho' he wou'd not speak of this. I know not what he'll think of it, but here 'tis thought a mighty favour, and I assure you I bestir'd myself for him, tho' I fancy I'll hardly get thanks. It was not we but the Cabin Councill that advised the Queen to order the prissoners to be sent up, and the reason was given was that because the Councill of Scotland being just

a falling so that nobody there was of authority enough to examine them. People will now see if we or other people were in the right about that Councill. It is but justice to every body to set this in its true light to the world.

THE EARL OF GLASGOW to the EARL OF MAR.

1708, April 17. Edinburgh.—He sends the Assembly's answer to her Majesty's letter, and they are now engaged upon a most loyal address. He earnestly begs that his Lordship would intercede "that the Earle off Aberdein and my Lord Balmerino may be liberated upon baile, and also Dugall Steuart, who are, I dare say, perfectly free of any hand in the invasion. They are our friends and will concurr heartyly with us. Bot if wee cannot serve them they have no great reason to serve us. My Lord, Dugall Steuart is not only sure of being elected for Bute, bot if he be admitted to baill will carry the election of Perthshire and hold out Glenegies, so I beg there may be something done to encouradge our friends." He also sends a memorial for the liberation of his Lordship's neighbour, Keir, who will die if he is continued in prison.

1708, April.—Edinburgh.—Address by the General Assembly of the Church of Scotland to her Majesty, signed by W. Carstares, Moderator.

MR. HUGH KEMP, Moderator of the Provincial Synod of Fife, to the EARL OF MAR.

1708, April.—Sending a humble address by the Synod to her Majesty to signify their sincere affection and unfeigned loyalty to their sovereign the Queen, and their firm resolution to use their utmost endeavours in their stations to support her just title to the rightful sovereignty over these lands, and maintain her in the possession thereof against the pretended King James the Eighth and all her other enemies; to express their just zeall and deep concern for the preservation of our holy religion and the Revolution Establishment, and their thankfulness to her Majestie for all the favours and privileges they enjoy under the influence of her auspicious reign; and particularly the seasonable reliefe so lately sent when they were in the most imminent danger of being "overrun by a bloody army of French and Irish."

THE EARL OF GLASGOW to the EARL OF MAR.

1708, May 1. Edinburgh.—I send your Lordship two attestations concerning the Duke off Atholl's indisposition, which your Lordship will show the Queen. He is very ill. He desyres to know if it would be well taken if he should petition the Queen and Councill of Brittain to remove the garrison out of his house. So if your Lordship please to write to his Grace your opinion, after you advyse with friends above, it would be most acceptable. My Lord, I shall say nothing of what paines hath been taken with the Cavalier party since I came here, bott they

will as one man be for the Government measures. There are four alreaddy qualified, viz., Earl Marishall, Earl Aberdein, Viscount Kilsyth, and Lord Belhaven. This last sounds damnably with me, tho' he hath been at great pains against Squadrone. All the rest will universally qualifie and give their proxies to our friends. My dear pupills, the Duke of Montrose, Erles of Rothes and Hadinton, are mightily enraged against my Lord Leven and me. They now give out in all companies, and did these three weeks past, such as were here of them, that it was the Duke of Queensberry and his friends that occationed the imprisonment of all our contrymen here, and their going to London. It takes no great impression, but I do verryly believe such a sett never was upon the earth.

MR. SANDELANDS to the EARL OF MAR.

1708, May 5. Edinburgh.—It was with great satisfaction that we heard, by your Lordship's letter directed to Mr. William Carstairs, moderator of the late general assembly, and communicated by him to us, that the address of the representatives of this national Church was so graciously accepted by her Majesty, that she was willing it should be universally known how sensible she was of the loyalty and good affection of this Church to her royal person and Government, and that she was resolved to protect it in all its rights and priviledges as established by the present laws.

We have so great a sense of her Majesty's goodness, and of the duty and fidelity that we owe to her, that we cannot but earnestly entreat your Lordship to represent to her Majesty that the ministers and elders of the Synod of Lothian and Tweeddall doe unanimouslie oun and adhere to the address of the late General Assembly in all the particulars thereof, and that they will endeavour in their stations to manifest by their conduct that the words of that address are the true expressions of the real sentiments of their mind. This Synod had not been wanting in witnessing their loyalty to her Majesty by a particular address, had the tyme of their meetting been before the meeting of the late Generall Assembly. These things are signifyed to your Lordship in the name and by the appointment of this Synod, and signed in their presence by, my Lord, your Lordships most faithfull and humble servant, ROBERT SANDELANDS, Moderator.

LORD HIGH TREASURER to the EARL OF MAR.

1708, May 7.—My Lord, I agree with your Lordship that it is necessary you should bee gone, and have thought so for many days together. I know of nothing depending on my part to delay it; however, I shall bee ready to wait upon your Lordship to-morrow at 11 at the Duke of Queensberry's; it can't bee sooner, for I am summoned to the Cabinet Counsell this evening. Your Lordship's most obedient servant,

GODOLPHIN.

JOHN FARQUHARSON OF INVERCAULD to the EARL OF MAR.

1708, May 12. Invercauld.—I most heartily joyn with your Lordship in congratulateing the miscarriadg of the late desyned disturbance, which, considering the present poverty and bad condition of our northern counties, should be matter of thanks-giveing to all good men. Abergeldie and all your Lordship's other friends and servants in thes nighbouring countreys joyn also in this.

THE DUKE OF ATHOLE to the EARL OF MAR.

1708, May 14. Blair Athole.—My Lord: I have the honour of your Lordship's of the 6th instant, in which your Lordship writs that the soldiers are a guard upon me being prisoner and not now as a garrison in the house; but I beg leave to represent to her Majesty that the soldiers entered as a garrison on the 19th of the last month, as the words of the Earl of Leven's orders expressly bears, and they continue still lodging in my house in the same manner. And it would seem that either your Lordship has not known of the Earl of Leven's second orders, or at least the strictness of them, for on the 2d instant the captain here received his Lordship's orders not only to detain me close prisoner, and allow nobody whatsoever to converse with me except in the presence and hearing of the said captain or the next commanding officer, and this he is ordered to observe in relation even to my physicians; and two servants only to wait on me, and they to be as close prisoners as I am, and none to converse with them, that neither I nor they are to receive or write any letters but what they are to read and seal if writ by us, and to open letters comes to us.

My Lord, the narrating of these orders do sufficiently shew their strictness and the great hardship I lye under from them, which, indeed, may be easily judged is yet more uneasie to a sick person than the garrison's being quartered in my house, and by these orders I am not allowed the comfort of even my younger children, who are lately come from the school at Perth to stay with me in my sickness.

I never heard that the greatest of criminals judged and condemned were so strictly used that even physicians and ministers are not to be spoke to but in the presence and hearing of an officer. These orders continuing still upon me obliges me to send the bearer, one of my chamberlains, express with a petition to the Queen. He is ordered to shew my Lord Treasurer and your Lordship a copy of it before it be presented to her Majesty in Council; and I perswade myself that by your Lordships representing these hardships, her Majesty will be soon convinced of the reasonableness of taking them immediatly off, that I may be the sooner in a condition to travel to wait on her Majesty, which, if please God, nothing can happen shall delay but want of health, for I am most extremely desireous to vindicate myself to her Majesty, who I found the best of mistresses when I had the honour to serve her; and I hope none

that are presently her servants will think it reasonable I should be worse used than any of the prisoners have been taken up, for none of them had such strict orders given about them, but all freedom of access was allowed them. I likewise hope and earnestly entreate that on the same consideration of my having been employed in her service, that I may not be guarded with soldiers as other prisoners are on my journey. If her Majesty find me guilty after I wait on her, I neither deserve nor shall trouble my friends to ask any favour for me.

I hear Duke of Hamilton has been allowed to give bail to come to Scotland; I hope the same favour will be allowed me to go out of it to wait on the Queen. And I am told the Earl of Strathmore is gone or to go without guards. Your Lordship's concerning yourself for me in this will be an obligation never to be forgott by, my Lord, your Lordship's most obedient and faithful humble servant, ATHOLL.

I have not yet received nor had certain account of that letter your Lordship first writt to me. It is a very great satisfaction to me that these worthy persons I writt of are at liberty; I hope the same justice is or will be soon done to Mr. Scott and my baillie, when it appears by their examination that they have done nothing to detain them longer prisoners, to the great loss of their affairs.

I beg pardon for not using my own hand, which my indisposition hinders me to do at present. I am so fully assured of my innocency, that I am satisfyed all the prisoners are gone and going to London be interrogat concerning me in relation to the Queen, the Pretender, the French descent, or my seeing or corresponding with the Stirlingshire gentlemen who passd thro' part of my interest, but no nearer than ten miles of me.

SIR DAVID NAIRNE to the EARL OF MAR.

1708, May 27. Whitehall.—I had noe letters yeasterday from your Lordship. My last told your Lordship what papers I had given Mr. Secretarie Boyle to be laid befor the Councell. I waited on him this day with the Duke of Queensberry, and he told us there was noe orders as to any of the persons concerning there memoriall or representation given in for them. He only said as to the garrison in the Duke of Atholl's house, that it was not as a garrison but a guard for the Duk's person; how to distinguish I could not tell, he wold have me writing soe to the Earle of Leven, but I told him it was a matter of state and that he ought to write, which I suppose he dos. Mr. Walpoole came to toun last night and I was with him this morning, but he allowed me noe more time then to tell me that he could not allow me any time to speak on business for two or three days; however, if I can catch any opportunity sooner I will do it. I finde the Duke of Athole's petition will not be granted. The first set of prisoners are to be here on Tewsday. They are to be in messengers hands. I caryd mye Lady Nairne this afternoon to kiss the Queen's hands. She

can tell her oun story very well. The Lord Treasurer tells me that the certificat of the Duke of Malborrow's takeing the oaths was delivered to the Earle of Seafield. Your Lordship must be sure to send as soon as you can your last commission under the seall there in all the forms it past, for it must ley at the Exchequer befor any Privy Seall can pass for the sallary. All the rest must doe so too, who have places or pensions now; but I hope your Lordship will not encurage there being sent to me, but let evrie on send them to there friends. I think myselfe only concerned in the Duke of Queensberry's, your Lordship's, the Earle of Loudoun's, and Earle of Seafield's, if they and you think fit to employ me. The Duke of Queensberry says he will goe the morrow, but I dare say he will not if the Dutches is not better, for last night she had almost tipt off.

THE DUKE OF MARLBOROUGH to the EARL OF MAR.

1708, May 31. St. Renelde.—My Lord: I hope your Lordship will excuse the trouble I give you of my proxy. I know you will be able to make a better choice then I shou'd myself if I were present. I shall only desire leave to recomend the Earles of Orkney and Stairs, who I am persuad'd will be agreable to you. I can send you no news from hence but what you will have in the publick prints. The two armys have been in the field these six days without undertaking as yett any thing against each other. If I may be usefull to your Lordship here, I pray you wou'd lett me have your commands, and believe me always, my Lord, your most obedient humble servant, MARLBOROUGH.

SIR DAVID NAIRNE to the EARL OF MAR.

1708, June 1. Whitehall.—The Queen thinks what you advise about the prisoners as to the methode of shewing her favour is very just. I told the Queen last night that seeing one other prisoner of the same kinde, tho' of some higher title, was allowed to come hither without guards, and only by a messenger, it wold be very mortifying for them to be exposed to the mob by bringing them throw the city with guards; and, besids, after bringing them in such triumph the house were not safe from the insults of the rable. Therefore, I humblie begd her to consider if it wold not be as safe to send messengers to Barnett to receive them and dismiss the guards, especially the persons of quality. I thought this wold look like a particular act of her Majesty's favour, and wold oblidge them much. She declaired herselfe of that oppinion, and I met with my Lord Treasurer, who declared himselfe soe too; and there was a Councill calld, and there are orders gone to stop them at Barnett till further orders.

THE DUKE OF ATHOLE to the EARL OF MAR.

1708, June 2. Blair Athole.—I assure your Lordship I am extremely sensible of your kindness and friendship at this time, and that tho' you missed my servant you was pleased to write in my favours. I long to have a good return, for it is now a month past since I was close confined. I cannot say I was much surprised with Duke Hamiltone's joyning with the Squadrone, since his politicks have been most unaccountable for some years, but especially at the last Scots Parliament; since which time I have had no manner of correspondence with him. And for the Squadrone, I entirely agree with your Lordship in my opinion of them. My assisting Mr. Dougal Stewart to be commissioner for this shyre against Gleneagles, is an undeniable proof of this. If I have my liberty soon, your Lordship may depend on it the first will carry. The only difficulty lyes that some of the gentlemen scruples to qualify.

SIR DAVID NAIRNE to the EARL OF MAR.

1708, June 5. Whitehall.—The Marquis of Huntly, Lord Drummond, Lord Nairne, and most of the prisoners were examined last night, but I doe not finde any thing was discovered. The morrow the Cabinett Councell is to sit, and I suppose they will be allowed to give baile.

I hear a certain set of people have sent offers of service to some of the prisoners, which I told the Queen of; soe I believe she will take some way to let them see they will owe favours to herselfe. My Lord Nairne is firme, and will only owe them to her Majesty. And realy my Lady has done good service. I have some reason to think the Marquis of Huntly and Lord Drummond are content to apply otherways. A few days will discover more. What shall be to me shall be communicat to your Lordship.

THE EARL OF MAR to SIR DAVID NAIRNE.

1708, June 8. Edinburgh.—I am very glade of the resolution the Queen has taken concerning the prisoners, and I wish they may understand and be fully sensible that the favourable treatment they meet with comes from the Queen herself and her servants, and not by the influence of those who wou'd have people to believe that nothing can be done without them, which is the languadge of the D[uke] of H[amilton] and that sett here. If the prisoners be fully convinced and sensible of this, I shall be very glade how soon they be sett att liberty. But if they are not, and think they owe it elsewhere, and so come down as another has done to joyn against those the Queen imploys, then I must confess I think that tho' the Queen delay for some tim shoeing them her favour, noe body can blame her. I'm shure that the D[uke] of M[arleborough] will be farr from joyning with those who opposed the Queen's measure,

and will influence all he can to follow his example. I hear that Mr. Cockburne is gone post for London, which was keept a mighty secret here. So great a man wou'd not shurely have gone without some considerable designe. You will probably learn what it is before we com to know it; but we fancie, beside his being embassador in generall for the party, it's to engadge the prisoners to their side.

Sir David Nairne to the Earl of Mar.

1708, June 10. Whitehall.—The Marquis of Huntly, the Lords Kilsyth, Stormont, and Nairne, were beald this day. I hear my Lord Kilsyth goes post either this night or early in the morning.

Sir David Nairne to the Earl of Mar.

1708, June 12. Whitehall.—I herewith send to your Lordship the coppy of a memoriall received from the said Earle of Sunderland to be transmitted to my Lord Advocat, which I have done by this pacquett. It is expected that your Lordship and the Queen's other servants will be assisting in what is needful to execut the memoriall. I understand the 16 referred to are Stirling and Pearthshire gentlemen, against whom or some of them there has been depositions of there being from there houses. Carden, Keir, Touch, Capendavie, and Newton Edmonston are in Newgate. My Lord Drummond, Sir George Maxwell, and Captain Robert Murry are in the Towar. The rest have libertie to give baile to appear at Edinburgh sometime in November befor the Lords of Justiciary, and some have given baile and are out already, and I beleive none of them will complain of any dillitorys or other hardships put upon them since there arivall here. I hear the Viscount of Kilsyth went from hence to Scotland yesterday morning, and noe question all of them will be goeing from this place as fast as they can.

The Duke of Athole to the Earl of Mar.

1708, June 12. Blair Athole.—I receaved your Lordship's of June the 7th. The orders for some ease to my present confinement came not here till the 10th at night. I am very sensible that the Duke of Queensberrie has been extream instrumentall in procureing this favour for me, and I hope his Grace and your Lordship will continow your endeavors for my full liberation, which I hope now will be the easier procured that I have qualified myself as sherrif principall of this shire. And if your Lordship pleases to send a flyeing packet with your letters that I may have my liberation soon now after three months confinement, it will be a very great and new obligation put upon me.

THE EARL OF MAR to the QUEEN.

1708, June 14. Edinburgh.—Madam, I thought it my duety to lett your Majestie know the circumstances of things here in relation to the elections. Those of the Commons are near over, and most of them are to the satisfaction of your Majesties servants, so I hope your Majestie may look upon them as men reddy and willing heartily to support your Majesties Government. When I cam first here I thought that the elections of the Peers wou'd have been pritty unanimus, and that we were shure of caireing such as wou'd have been acceptable to your Majestie and in friendship with your servants. The influence from London has alter'd affairs so that it is now more doubtfull, and it's no wonder since some of your Majesties immediat servants have used such interest against us. I'm very unwilling to tell your Majestie any thing of any of your servants when I think they act not with a due regaird to your service; but in opposition to us my Lord Sunderland is so litle secret that I believe your Majestie is the only person almost that has occasion to see that he does not tell it to. It is talked publickly here, and I'm crediblie informed of the certainty of it that he wrote to my Lord Dalhousie to join with those against us, which wou'd be a thing acceptable to your Majestie. But whither or not he made use of your Majesties name, people wou'd certainly conclud that a Secretary of State wou'd not presum to desire such a thing if he had not your allowance for it, or at least thought it agreeable to you. And the effects has answered the designe, for my Lord Dalhousie, who was always in friendship and conjunction with us, is now in violent opposition. And my Lord Ballenden is in the same road, occasioned the same way. And as I hear by his mother's writeing to him that by my Lord Sunderland's means, your Majestie has granted him a new gift of pension as usher to the Exchequer. Now your Majestie may remember that it was we who spoke in my Lord Ballanden's favours, and we now see the use that's made of it against us. Since this letter of my Lord Sunderland's, he has since, and at several times and particularly last week, by an express wrote to severall people most violently against us, which letters are farr from being made secret here. A gentleman told me that he saw one of them, and he gave me note of it which he took immediately after he heard it read, which I have sent to Sir David Nairne that if your Majestie please you may see; and I'm told of others yett more violent than this.

The Duke of Hamilton tells openly that he obtained his liberty by the influence of those call'd the Juncto Lords, when it was not in the power of your Majesteis servants to obtaine it for him, tho' they had had the inclinations to do it; and that it was only that way favours to this part of the nation or the prisoners were to be procured, and that those lords had taken him engadged to join against us in the elections. He has wrote this to severalls, and that their doeing so too wou'd be acceptable to your Majestie, for you wanted but an opportunity to gett quitt of us. And he went off the road as he cam doun

to meet the prisoners, and to indoctern them this way. My Lord Orkney too has wrote to almost all the peers, telling them that your Majestie allowed him to come doun to be chosen; which make them the more perswaded that your Majestie not only inclines to have him returned to the Parliament, but also those he is in concert with. The pains the Duke of Hamilton and the Juncto have taken with the prisoners is like to have effect against us, for some of them have wrote doun that it is only by their means and influence they can have any favour, and that those people have told them that your Majesteis servants of Scotland were only to blaim for their being brought to London. Now your Majestie knows how farr we were from haveing any hand in this, and how much it was against our oppinion. But our not being at freedom to tell the true storie, it's no wonder this be beleived against us, untill time clear us. They say also that these people have promist to inquyre into this matter in Parliament, and who were the advisers of it. If your Majestie be not against it, I shall be very glad they or any body else doe so, and if I'm allowed I shall keep them from forgetting their promise. But I know they have more regaird to themselves and more concious of their own actings than to say anything of this after the elections are over. The prisoners wrote also that severalls of them are to be admited to baill by those peoples interest, and to com down immediatly to vote against us, notwithstanding of some of them haveing formerly given their proxies to our friends. I hope they are innocent, so shall be glade of any favour your Majestie shows them; but I shall be sorie if this be the use they make of it. Upon all this I beleive your Majestie will not think it odd that people are mightily jumbled, and think really that you are wearie of us who have the honour to serve you. For tho' we know and are fully convinced of your Majesties goodness and favour to us, yett other people seing us counteracted by one of your immediat servants who is in so eminent a station, and the other instances, think they are much better authoritys than any thing we can say in favour of ourselves, and your Majesties inclinations to us. So it will be no wonder that we miscarie in a great measure in our elections; and yett I hope we will have the plurality in the election. But some of our friends will too probably miscarie and others come in, tho' I beleive few of those who were in opposition to us last Parliament.

The Duke of Hamilton has said (and we are told they are advised so from their friends att London) that if they see they are not shure of careing the election, it shall not be a work of one day, and that they will make all the confusion and disturbance they can, and have a protest reddy against the election it self. I thing I am pritty shure of being chosen, but if I miscarie it is oweing to nothing but those people's mallice to me for standing by your Majestie; and my only concerne for it shall be that I am in the less capacity that way to serve your Majestie, and to support your interest against those people

who endeavours to lessen your authority, and to make the nations slaves to them. But happen what will, my inclinations and endeavours to serve your Majestie shall as long as I breath be the same, and nothing they are capable to doe shall alter me from your interest, and I hope your Majestie shall not want friends to support you against them.

I think myself obleidged in duety to lett your Majestie know that so farr as I understand the inclinations and temper of the generallity of this country is still as dissatisfied with the Union as ever, and seem mightily sowr'd, tho' I know people, and of this country too, give it out otherways att London. I am as sorie to have this account to give your Majestie as you will to receive it; but if I shou'd conceall it from you, your Majestie wou'd have no reason to think me a faithfull servant. I hope your Majestie by your wise manadgment shall alter this their disposition, and show them the advantages of the Union, which they think themselves disappointed of. I must say that the endeavours used by some people to discourage and bear down those who made the Union here, and joining with the opposers against them, give people here strange notions of it. I wish heartily the enemie make not an other attempt upon this country. There are accounts sent of the condition of the forts here to the Board of Ordinance, and I hope your Majestie will give directions for putting them immediatly in repair, there being great need of it, and it is of great consequence to your Majestie and your kingdom. I wou'd not write so to any but your self, and I hope your Majestie will impute it to nothing but my sincear inclinations for your service.

As soon's the election is over, your Majestie shall know the success of it by an express. I designe to goe home immediatly thereafter to look after some of my privatt affairs, in which I shall take as litle time as possible. But if your Majestie be pleased to lett me know that my comeing immediatly up will be of the least service to your affairs, I shall loose no time in waitting of your Majestie. I beleive a good number of people here will goe up immediatly after the election, which perhaps may make it the more necessary for some of your Majesties servants to be attending your person. I wish to God I were as capable as I am willing to serve your Majesties interest. I beg your Majestie may pardon this long letter. Nothing but zeall for your service wou'd have made me give you so much trouble. I am in all duety, Madam, your Majesties most obedient and most faithfull subject and servant.

The Earl of Mar to Sir David Nairne.

1708, June 14. Edinburgh.—Much in the same terms as the letter to the Queen; adding that "I know some people att London will not lett it be said that the bad humours and disaffection continue here. I'm sorie from my heart that I cannot say it is so. What makes me mention this now is that tother night I was invited to sup att Generall Maitlands, where

Seafeild and Loudoun were. It chanced to be the 10th of June, which we did not mind till we were told about ten o'clock that there was a mobe on the streets and drinking the Pretender's hailth. Its true the Toun Guard endeavoured to disperse and catch them, but we were forced to sitt till one a'clock before we cou'd go home. It is fitt you shou'd lett this be knowen, tho' you wou'd not make a great bussle about it, the thing not having come to a very great hight. But I assure you a certaine man of our company was not a litle affraid." *Copy.*

NOTES OF THE EARL OF SUNDERLAND'S LETTER to the DUKE OF ROX[BURG]H.

1708, June.—The letter sayes to this purpos:—I hope yow have found things in a good dispositione for the election of the 17, notwithstanding of the great indeavors of your new Lord Cheif Barron of Exchequer and of the great bragg people make of their great power and intrest there. But their intrest and any schems they can make will last no longer then to the meeting of the next Parliament, which will be the most Whigg Parliament by ane extraordinary majority, and consequently the best Parliament that ever we saw. And the Court will be forced to give in to it.

We hear of great threatnings and other violent means used to procure electiones by E[arle] L[oudou]n and Lord Register; but these will be sowndly inquyred into by next Parliament, and they will feind that they will not now come so weell off here as they use to doe in a Scots Parliament managed by a Scots Ministrie.

Speaking of the new Cheif Barron of Exchequer, it says that the Parliament will not bear such things, that a Peer shou'd be a judge for the judges; and barrones of exchequer ar assistants and not members of the House of Peers.

It contains severall great expressiones of kyndness to ——— with very firm assurance of support and assistance.

It redicoulls what it seems they have been told that E[arle] S[eafie]ld had sayd that proxies could not be recalld, and adds to that thus—I could almost wish that I wer a peer of North Brittain that I might send my proxie to yow, as I fear a great man here has sent his to some others. I would let them see that there wer one in North Brittain who durst dissagree with these in power ther.

SIR DAVID NAIRNE to the EARL OF MAR.

1708, June 15. Whitehall.—Yesterday I had your Lordship's of the 8th, after your returne from the countrie. I finde the Queen is concerned now when too late that she did not write to your Lordship such a letter of encouragement as was necessary, and once spoak of her not doeing it was not for want of being minded. But its too late now to talke of these things,

for the candidats will know there fate long ere this come. Nor can I add anything to what I have said of the prisoners. The last set came in last night, and I finde they are mightyly inclined to beleive they owe their comeing up to the Duke of Queensberry, yourselfe, the Earles of Loudoun and Seafield, and I beleive they have been told soe with this circumstance that noe Englishman could know the names of many that are come. I have spoak severall times to my Lord Treasurer about the paying of some pensions, but I can hardly say I got my answer. . . . Mr. Secretarie Boyle tells me that he has orders to write to Scotland that all the prisoners there against whom there is not evidence shou'd be let out on baile, soe the late Bishop of Edinburgh will be included. . . . I hear my Lord Griffeth is to dey the morrow. You are most blamed for the prisoners being brought up. I finde this comes from the Stirlingshire men.

THE EARL OF MAR to the QUEEN.

1708, June 18. Edinburgh, Friday morning.—Madam: I thought it my duety to loose no time in giveing your Majestie ane account of the election here to-day, or as I shou'd rather say yesterday. Your Majestie has inclosed a list of the sixtein that have caried and the numbers they caried by, and also a list of those we voted for, and another of the adverse partie. I send your Majestie likeways a scrole of the whole peers as they voted, as clear as I can make it in such heast. By all which it appears that had it not been that some were frighted from us by the influence of people att London, and of some of your oun servants and others makeing court to them as comeing into power, and some of the prisoners being sent doun a purpose to be against us by the same influence, we had certainly caried our whole list. Those circumstances I mention made a great number of people who are in your Majesteis service here leave us and goe over to our adversaries, and had any tuo of them done otherways, all those who were in opposition last Parliament to us had been excluded, as your Majestie will see by the numbers they carried by. But as things were its a wonder we have caried so maney. We always designed to make the Earle of Crafurd in our list, but he left us the day before the election; tho' I'm perswaded he will always continue firm to support and mentean your Majesties interest. We have done our outmost to serve your Majestie in this affair, and tho' by the great endeavours and influence against us and the litle assistance we gott we have not been able to carie all our list, yett I hope the farr greatest number of those chosen will be zealous in supporting what your Majestie thinks for your intrest and the intrest of the Crown and monarchie. Your Majestie will now see how litle intrest those peers who differ'd from us last Parliament wou'd have had at this electione, had it not been for the extraordinary and odd methods that has been taken to make a conjunction against us. But if your Majestie think this good service done

to you, I have nothing to say. I hope this will be the first account of this affair from hence, notwithstanding of a messenger of the Earle of Sunderland's being sent doune here a purpoas to bring it soon, who arrived yesterday morning and brought a pacquet to the Duke of Montrose and letters to severall of those in opposition to us, as I'm informed, for I've had no more time since the election was over than to eat a bitt, haveing fasted since Wedinsday night, and now its four a'clock. I shall write the particulars of the election to Sir David Nairne in the afternoon or Saturday morning, with which he'll acquant your Majestie; therefore I will not give you any further trouble now but to ask pardon for this and leave to subscrive myself, Madam, your Majesties most obedient, most devoted, most humble and faithfull subject and servant. *Copy.*

THE EARL OF MAR to the EARL OF STAIR.

1708, June 20. Edinburgh.—I like not to be the teller of disagreeable news, so I hope you have heard of our elections before this. But I know even when a batle is lost an account of the particulars is expected, therefore I send you them. By the accounts we had from Scotland before we cam from London, we had reason to think ourselves shure of carying the elections here as we pleased, both of peers and commoners. When the Duke of Hamilton was brought to London, he shew'd a great inclination to joine with us, and we were content to admitt him and give him our interest for choising him one of the 16; but then the Squadronie and the Juncto fell a tampering with him, which we soon discovered, and found he had alter'd his inclinations to us. But the way he took to gett off was by desiring us to gett him sett att liberty, which we had formerly told him was not in our power to gett done for some time, and that he might beleive us, for since it was probable that he and we wou'd be in the same intrest, it was as much for our intrest as his to have him sett att liberty. But at that time the Juncto made such a noise against it, that the Queen and her ministers cou'd not so soon doe it upon our desire, tho' we hop't his confinement wou'd not be long; and in the mean time it was very easie, being only by a messenger sitting in his outward room. This serv'd him for a pretext, so he applyd himself to the Juncto and sold himself to them from the top of the head to the sole of the foot. Then by their influence without as much as askeing our advice (tho' we were called afterwards to the Cabinet that same night) he was admitted to baill. And no doubt you have heard that four of them, or very near allyed to them, were baill for him. By this time the first sett of the prisoners were sent from Edinburgh; but upon application we gott all the rest of the prisoners being respited, save a few of the Stirlingshyre gentlemen and the Highland chiftians. Which orders I sent for my Lord Leven the day before I left London. But his Lordship and the Justice Clark misunderstanding or following the first orders

too rigidly, sent off the other two setts of prisoners before the last orders by me cam to their hands. When I heard of this by the road I wrote back to Court beging that since those prisoners were sent off before the last orders arrived, those who were order'd to be respited might be ordered back with the guard, they being come but a litle way. But nothing was done upon this. The Duke of H[amilton] came doun post by Notingham, and went off the road to Leids to meet the first sett of prisoners, and mett the other two setts afterwards before us. He gave them impressions as we understood from themselves of our being the occassion of their being brought up, and that they had no favour to expect but from the Juncto, who were the means of his liberation and had promist him to doe for them. After he cam to Edinburgh he and his emisaries gave the same stories about, which did us a great deal of hurt, tho' there were nothing farther from being true. But after the arrivall of the prisoners at London, they were sett out upon baill, and the Juncto made court to them and took the praise of their liberation; and som of them who had formerly given their proxies to our friends were sent doun to vote against us, and others of them recaled theirs and gave them to our adversaries, and wrote down expresly that they had been told by some of these lords att London that we were only to blaim for their being sent up, and that as soon as the Parliament mett they wou'd be shure to inquire into that matter. All we cou'd tell of the storie of their being sent up did not satisfie people here of our haveing no hand in this matter, and we cou'd not tell what past in the Cabinet Councill, which was unluckie for us. But nothing but time will now clear us of this, since the storie seems to come from so good hands against us. I wish heartily that when the Parliament meets these gentlemen may remember their promise of inquireing into it; but I'm affraid now since they have served their turne they will have bad memories as to that, tho' if I be allowed I'll take cair to keep them in mind. . . . . That morning of the election we had a spair place in our list in room of Crafoord, which we were forced to give to Morton or otherways break with him for ever. This added nothing to our strength, which we found afterwards to our coast, for one vote from them to us wou'd have throwen out Mont[rose] and Rox[burgh]. . . . . Roseberry was in most of the English proxies, and this made him carie it by so maney. The Duke of H[amilton] by this tim repents him of his doeings, but I'm mistaken if he will not have more reason to doe so ere long. The Squadronie are very upish upon carying their heads, and I have no skill if some folks will not ere long have reason to repent their giveing us so litle assistance to gett us all chosen of a piece; and it's an unluckie thing for this countrie that we are not so, and I'm affraid to the publick service too, and also to Parliamentt persons, who both you and I wish well. Lord send you a good campaigne, that angrie people may have no handle to make disturbance. *Copy*.

THE EARL OF MAR to the QUEEN.

1708, June 21. Edinburgh.—Madam: I presumed to write to your Majestie that night of the election. I thought to have sent an account of the particulars of it to Sir David Nairne before this, but I cou'd not gett the necessary papers sooner from the clarks of the meeting, so many were asking for them. I will not give your Majestie much trouble now, haveing wrote fully to Sir David Nairne, who will lay it before you. But I hope your Majestie will be pleased to receive the inclosed memoriall in relation to the protestations that were enter'd at the meeting, which I thought my duety to send, that your Majestie may know the matter fully and how litle reason those people who are in opposition to us have to think they can throw out any of our friends who are chosen, and to bring in theirs in their place; and that the objections made by us against some of their votes are fully as strong. But those lords are promist such support from their patrons at London, that they think they will be able to turn the election which way they please when it comes before the House of Peers; tho' I hope they will be mistaken. I presume also to send your Majestie copies of all the lists that were given in by the peers that you may know the part each man acted. Those lists are certaine, for I had them from the clark's book. I hear severalls of those lords who were in opposition to us are goeing quickly to London. I designe to wait of your Majestie so soon as possible I can, but I have some bussiness att home which will detain me some time, unless your Majestie command me otherways, which as in duety so shall be always most chearfully obey'd by, Madam, your Majesties most faithfull, most dutyfull, and most obedient subject and servant. *Copy.*

THE EARL OF MAR to SIR DAVID NAIRNE.

1708, June 21. Edinburgh.—We were so fatigued with the elections, and the copies of papers so hard to be gott from the clarks, every peer almost indeavouring to have them, that I cou'd not dispatch the pacquet which I promist to send on Saturday last till now. By my letter of the 14th, you knew the circumstances of things here before the election. By the influence I told you was used against us from London, severall lords left us and went over to the other side, thinking (I beleive) thereby to make their court. The Earle of Eglington was one of this number, which made four of difference to us, for he had the Earle of Galloway's proxie. He was to have been one of our list, and used to heat the Squadronie, so we had reason to reckon ourselves sure of him; but we were disappointed. The very night before the elections the Earle of Crafoord, who was to be an other of our list, went over to them also, and reallie he has jockied himself in, for he knew if he were in their list (as both he and Eglington were), he wou'd have more scater'd votes from our people than he wou'd have

from theirs if he had been of our number; and we see now (tho' we were very angrie with him for leaving us) that had he not done so he had hardly caried it. But this was not my Lord Eglington's case, for he was more likely to carie it with us than with them. Tho' Crafoord cam in by them yett I'm sure he'll still be with us in bussiness as formerly, for as he says himself their principals and measures does not agree with him. Then Glencairne, Buchan, and Forfar took it in their heads to stand. We cou'd make no room for them, and the other side dropt three of their number to gett them; and tho' it was plain that those three cou'd not carie it this way, yett we cou'd not gett them to have eys. The Earle of Dalhousie by the letter he had from the Earle of S[underland] was violent against us, and the other side made him of their list, which confirmed him to them tho' they were very indifferent of his carying it. The Lord Forbess was mad to be chosen. We did not think it very fitt, nor cou'd we make room for him; so tho' the other side did not make him of their list, and notwithstanding of all the pains we cou'd take with him, he voted them all save one or tuo of us who were sure of it without him. The Earle of Cromertie wou'd gladly been chosen, but we cou'd not make room for him either, we had so very maney to please. Att this he was very angry, but he was so generous as to doe us no hurt. He only nam'd four who he called his children, viz., Mar, Weems, Leven, and Northesk; and because he named not 16 he was protested against, but it signifies nothing. That morning of the elections we had a spair place in our list in room of Crafoord, which we were forced to give to Morton or break with him for ever. This added nothing to our strength, which we found afterwards to our cost, for one vote from them to us wou'd have throwen out tuo of their principall people. Both they and we had severall proxies limited. The way we took which of our friends to leave out for those limitations was by throwing the dyce, which tho' equall yett not very polliticall. But our folks had no complyance for one another, and preferr'd their oun chance of being chosen to the generall cause, and so cam of it. Loudoun and Stair were very unluckie att this throwing, for each of them lost tuo. Thus we stood when we begun to the election, and by the inclosed papers you'l know the rest of the storie and how all went.

Queen Anne to the Earl of Mar.

1708, June 24. Kensington.—I return you many thanks for your two letters and the very particular account you give me of what has past concerning the elections. I am as sensible as it is possible of the great pains you have taken in this matter and everything that concerns my service, and of the ill treatment I have had from people heare, which I do ressent exstreamly, and will shew it openly as soon as the uneasynes of my affairs hear will give me leave, for you may easily emagin I can never have a tolerable oppinion of those that

have behaved themselves in such an exstraordinary manner to me. I am very glad you have got soe good a majority after soe great a strugle, and I hope in God for all the mighty threatenings there are both against you and me we shall get the better of our enemies in the Parliament, and you may depend upon it I will allways support you and all my servants, and shew the world upon all occasions how sensible I am of your faithfull services. It is now too late to justefye your selfs as to the aspersion that has bin thrown upon you of haveing bin the cause of sending up the Scots prisoners, but I confess to you I can not emagin why you did not do it when it might have bin of service. I hope as soon as you have dispatched your own privat busines you will loos no time in coming up, and I should be glad that all my other servants that can be spared from the publick buisnes would com as soon too as they can conveniently, which I desire you would lett them all know. You need not mention this to the Duke of Queensberry, becaus he writt me word he would com away as soon as the elections where over, and I intend to writt to him by this opportunity. I am, with all sincerity, your very affectionatt friend, ANNE R.

LORD TREASURER, THE EARL OF GODOLPHIN, to the EARL OF MAR.

1708, June 26.—My Lord, I give your Lordship many thanks for the favour of your letter with the account of your proceedings before the election. I can't but bee very much concerned that you have mett with so much obstruction of all kinds in that matter, but this is considerably abated by the choyce, which I think is a very good one. I hope I shall not bee long without an opportunity of seeing you here, and of assuring your Lordship I am very sincerly, my Lord, your Lordship's most obedient humble servant, GODOLPHIN.

THE EARL OF GLASGOW to the EARL OF MAR.

1708, June 26. Edinburgh.—The Duke of Queensberry commands me to acquaint your Lordship that your presence at London is absolutly necessary. All friends at London press it earnestly, and his Grace with all the earnestness imaginable desyres your Lordship may be here as soon nixt week as possible in order to take jorney for London; for now there is no tyme to be lost. His Grace is much as yow left him. I cannot say he is better, and I think he is no worse; bot extreamly anxious for youi speedy return to this place. He will take jorney so soon as he can venture upon it; and I am sure your hastening here will be a great motive and encouradgment to prompt his Grace to take jorney. His Grace gives yow his most humble service, and desyres to know when your Lordship can return. My Lord Belhaven is dead. I am with the greatest respect, my Lord, your Lordship's most humble and obedient servant, GLASGOW.

THE EARL OF MAR to the DUKE OF QUEENSBERY.

1708, June 29. Alloa.—I had a very kind letter yesterday from the Queen, wherin she tells me she was to write to your Grace. She desires me to come up as soon as my privat affairs will allow, and they shall not now stope me long. She seems to have good hops of the Parliament, and expreses great sense of her servants faithfull service here at this time, and her displeasure att those who run counter to them. If it were not the Queen and your Grace's commands I am very unwilling just now to leave my gardens, and I have really a great deall of bussiness here; but nothing shall now keep me from makeing all heast for London. *Copy.*

THE EARL OF MAR to the DUKE OF ATHOLE.

1708, June 29. Alloa, Nyne at night.—I was honour'd with yours of the 26th just now. All I can tell your Grace of the difference betuixt the warrant for your commitment and the warrants for the other lords was upon your refusing access to the officer who was first sent and the jealousies your intercepted letters gave, and I believe there was no other reason for it. For when the warrant was brought us to signe, we were told upon these reasons it was thought fitt to make it different from the others. My Lord Leven will not I'm sure refuse to show it to any body your Grace pleases to desire it of him, but to the best of my memorie the words are for treason or treasonable practises, and the others were for suspition of treason, etc. Notwithstanding of this I hope upon your applying again to the Queen in Councill your liberation will be ordered as the others were; for I'm perswaded your Grace was no more guilty. I'm sure I and all the Queen's servants I'm in a pack with will doe our outmost to serve your Grace in this and every thing else so far as we have power, but if you think that you can more easily obtain your liberation by applying to others than the Court, I shall be farr from being against your doeing so; but as a friend I think myself obleidged to tell your Grace that I beleive you wou'd find yourself mistaken. I think our letters to Court in your Grace's favours cannot have so good effect unless att the same time you applly anew by petition to the Queen. But I have writen of this to the Duke of Queensberry, who is still att Edinburgh. *Copy.*

THE EARL OF LOUDOUN to the EARL OF MAR.

1708, June 29. Five at night.—I arriv'd here last night at ten a cloak; I found the D[uke] of Q[ueensberry] a bed this day at tuelf. He says he's verrie litle better, but if he's able he'll goe upon Thursday. He shou'd me a leter from the Q[ueen] full of expressions of goodness, in which her Majestie takes notice of a leter to you desireing that her servants may cume up as soon as they can convenientlie. I recon you'd receave

that leter after I left you yesterday. I don't doubt but this and the other circumstances of our affairs will determine you to make all the haste you can. The D[uke] of Q[ueensberry] is verrie desirous to have you goe soon, and tho' he talks of goeing upon Thursday, yet he does it in so doubtfull a way that I beleive he'll not stir till you cume. He said to me that in case he were not able to goe upon Thursday, at least he hop't to be able to begin his journy upon Munday, and that in that case he thought you and he ought to goe together. I did what I cou'd to perswad him to be joging as soon as possible, and that you by posting a day or tuo might contrive to be at London as soon as he. He shou'd me a leter from my Lord Tre[asurer], in which he says its impossible to think of the proceedings of sume folks mention'd in the D[uke] of Q[ueensberry's] leter to him without resentment, which he says is the more grievous because the circumstances of the Q[ueen's] affairs dos not allow her at present to take such notice of it as she wou'd.

The Earl of Mar to the Queen.

1708, July 3. Edinburgh.—Madam: Some dayes ago when I was at home I had the happiness to receave your Majesties letter of the 24th of June, which you was pleased to honour me with. The goodness you are pleased to shew in takeing notice of any small thing I was able to contribut to your Majesties service is more than a sufficient reward to me, but it shall stile make me the more zealous in supporting your Majesties intrest.

Since your Majestie was pleased to think my attending you soon cou'd be of any use, I left my own affairs at home and came here yesterday, so farr in my road for London. The Duke of Queensberry's indisposition has detean'd him here all this time; he is now some better and hopes to begin his jurnie the begining of nixt week, so I belive we'll come togither, and shall lose no time in obeying your Majesties comands. I have told what your Majestie comanded me to all your servants who are here in toun, and I doubt not but they'll haste up as soon as their business will allow them.

Our respect to your Majestie made it impossible for us to vindicat ourselves of the aspersion throwen upon us of being the occation of bringing the Scots prissoners to London, otherwayes than we did which was only to denay it, and there was no other way of doing it than by teling and publishing what past in the Cabinet Councill; and we not haveing your Majesties alowance for doing that durst not adventure on it, nor in dutie cou'd we, for that wou'd have been interpred revealing your Majesties secrets; and I wish every body may have keept them as sacredly and faithfully as we have done, tho' it has been to our own hurt. Beside your Majestie may remember that we were once in a maner accused before you (tho' unjustly) of wryting to Scotland some account of things which past in

the Cabinet. But I'll trouble your Majestie with no more of this til I have the honour of waiting of you, for which I long to have the happiness.

I hope God will grant your Majestie success abroad, a good Parliament at home, and deliver you from all your difficulties. This flying pacquet is occationed by some returns of members of Parliament who were late a comeing up, and that they might be in time a flying pacquet was thought worth the while to be sent. I beg leave to subscrive myself with all duetie and submission, Madam, your Majesties most duetifull, most faithfull and most obedient subject and servant. *Copy.*

The Earl of Mar to the Queen.

1708, July 5.—"Madam, I did not think to give your Majestie any more trouble from this place now, but the poor Regester's condition, who I'm afraid is before this dead, forces me to do it once more. The Duke of Queensberry is not yet in a condition to wryt himself, for which he asks pardon, but has desired me to wryt to your Majestie and my Lord Treasurer upon this occation, which I most willingly did, being in favours of the Earle of Glasgow, who we wish and beg may succeed the Regester in that post. I have wrote fully to my Lord Treasurer, who I doubt not will show it to your Majestie, so I need give you the less trouble. I must only beg leave to informe your Majestie that since the circumstances of your affairs may at this time keep you from showing favour for your servants by turning those in opposition to them out of imploiments, yet when posts fall nobody can justly complean of your Majesties bestowing them on those you think have served you faithfully, since it hurts nobody. Those in opposition to us have given so out that your Majestie is indifferent of your servants here and that they will have the only power of bestowing of favours, that people are very apt to belive them, which does very much weaken our handes in your Majesties service. They talk so confidently now that they offer wadgers that non of your servants shall have the intrest or favour to get this post to any of themselves or friends; so that if the giveing of it be but only delayed now, every body will be confirmd in the belife of the stories that have been put about. But on the contrair, if your Majestie please to bestow it immediately on the Earle of Glasgow, it will show the world that you favour your servants, and will support those who serve you faithfully. Nobody can deserve it better than my Lord Glasgow, for he has all along been firme to your Majesties interest, and thow no default of his, if it was not adhearing to your measurs, he lost a good post since the Union, and is now chosen again to serve in this Parliament. The Duke of Queensberry told him of the assurances your Majestie was pleased to give of his having the first fit post for him that fell, which would make a delay in this affair the more mortifying to him now. The sooner your Majestie bestows this post the more it will be for your ease

and service, for there will be many pretenders to it, and some perhaps of our own friends, which may prove troublesome to your Majestie and be a means to make your servants uneasie amongst themselves. But if your Majestie dispose of it immediatly and tel any who applys for it that you are ingadgd, it will prevent all those inconveniencies and keep us who have the honour to serve you unitt together, and the pretenders from being disoblidgd. There will be a vacancie in the Session too by the Regester's death, for which there will be also many competitors." He desires that her Majesty may not dispose of this post until her servants meet and agree upon some one whom they may recommend. Her Majesty has lost a faithful servant in the Register, as he always showed himself firm for her interest and the present establishment.

THE EARL OF MAR to the QUEEN.

1708, July 5. Edinburgh.—Since writeing of what's above I had a letter from the Duke of Atholl, wherein he tells me that he is again to apply to your Majestie in Councill beging to be discharged from his confinement upon baill as the other prisoners have been. He wou'd apply no way but by your Majesties servants, tho' he has been prest to it and told that was not the way to succeed. But if his discharge be not now ordered he will certainly make his application to others, and they will by that gett him over to them intirely as they have gott others; which I humbly conceave will not be for your Majesties intrest, for it will confirme people yett more in the beleiff that obtaining favours must be by applying to others than your Majesties servants. He is grown worse again, which I believe is with fretting at his being confined when others are sett at liberty; and as long as he is confined I doe not beleive he can recover. I'm perswaded that he is no more guilty than others; upon all which I presume to beg that your Majestie may now be pleased to grant him the same favour that they have gott. He waits an answer most impatiently.

The Duke of Queensberry keeps me yett another day to see if he will be able to goe at the same time with me, but if he be not by Thursday I will goe without him, tho' I confess I wou'd gladely have him along.

I have given your Majestie much more trouble at this time than I intended when I begun this letter, but since it is my zeal for your Majesties service that occations it, I hope you'll be pleased to pardon, Madam, your Majesties most faithfull, most obedient, most devoted and dutifull subject and servant. *Copy.*

THE EARL OF STAIR to the EARL OF MAR.

1708, July 5. Windsor.—I'm just arriv'd here with the agreable news of the Duke of Marlborough's beating the French near Hudenaerde on Wednsday last. Wee marcht five leagues

past the Schelde and beat them all in one day. The action began to be warm about six and lasted till night. 'Twas cheefly an affair of foot. The French infantery one may reckon is intirely ruin'd. Wee had the day after the batle about 7,000 prisoners, 13 or 14 generall officers, about 40 collours and standards. The remains of their army are retir'd under Ghent. 'Tis probable they may have a good deall of difficulty to get home from thence. The loss on our side is very inconsiderable. You may expect by the post a more circumstanciat account.

Sir David Nairne to the Earl of Mar.

1708, July 5. Windsor.—I am commanded by the Queen to send this flying pacquett with the good news of ane entire victory obtained by the Duke of Malborrow over the French near Oudenard on the 30th past. It seems the Duke of Malborrow was informed that the French did intend to besige Oudenard and to take possession of a camp, which had they done wold have prevented the Duke of relieveing the toune; but his Grace soe disposed the armie that he was in possession of the campe which the French did think to have got. This made the French take ane other root, but the Duke marched soe early on Wednesday in the morning as to secure a pass over a river and bring them to a batle, which begun after a march of 15 or 16 miles at six at night, and continowed as long as they could see, in which the French were quite defeat, all or the greatest part of their foot being either killed or taken. What remained fled under covert of the night to Ghent. Wee have of prisoners two livtenants generall, five or six briggadeers, and 30 collonells, and upwards of 7,000 souldiers. The numbers of the slain is not yet knowen, but its judged to be as many as the prisoners, and its looked upon as such ane entire victory as will end all fighting on that side this year if not for twenty more.

It is her Majesty's pleasure that all demonstrations of joy shou'd be used on this occasion. The Queen went up to the Castle at twelve and has ordered publick prayer at five a clock. I shall write the morrow by the post, but can add noe more now. . . . . The Earle of Stairs brings the good news, and tho' he is very tyrd and wants both meat and sleep, yet have got him to write the inclosed.

Sir David Nairne to the Earl of Mar.

1708, July 6. Whitehall.—There was ane order on Sunday night for the Duke of Atholl's being admitted to baile, and Mr. Secretarie Boyle sends the orders this night to the Earle of Leven. The five gentlemen who are in Newgate are to be sent prisoners to Scotland, but only with the forme of a messenger, because it is not usuall to take baile in caces of treason where any effidavits are made. The three that are in

the Tower are to containow there till winter. The Earl of Sunderland writs to the Advocat next post about proceeding against the prisoners who have been guilty of contumacy or have not come in on the severall citations; and Mr. Secretarie Boyle writs to him to make examination of these guilty in the tumult at Elgin, and to the Earle of Leven to remove the guards from the city of Edinburgh if it be desired.

THE EARL OF MAR to SIR DAVID NAIRNE.

1708, July 8. Edinburgh.—To-night about seven a clock your pacquet arrived with the agreeable and glorious news which gave us a great deale of pleasure. I sent immediatly for the provost and communicated yours to him, and he ordered the bells to be rung, and my Lord Leven three rounds of the guns from the Castle; so that was the first way that the toun knew the news, which was a very agreeable surprise to all honest men. We will long for the particulars, and I hope every post will bring us now some further good news. *Copy.*

THE EARL OF MAR to the EARL OF LEVEN.

1708, July 15. Darlington.—I was very sorrie I did not see Auchterhouse when at Edinburgh, for I hear that he sayes the Earl of Sun———d told him that it was your Lordship who informed of the prisoners from Scotland, and that I gave in the list of them to be brought up. If this be true his Lordship has sail'd pritty near the wind, and had he gone on step further it had been a downright falshood. I shou'd be mighty glad to know certainly how Auchterhouse tels this storie, for it wou'd be of great use both to your Lordship and me; so I beg you may on way or other find it out, which I believe will be no hard matter, for I'm told he makes no secret of it. I'm apt to believe the story because the substance of it is something like the truth, tho' told with a malicious false turn. Your Lordship knowes you was ordered with some others to give account of the circumstances of the prisoners. In that account your Lordship referred to us at London to give ane account of those who had applyed to us, so I being in waiting was ordered to draw out ane account of the circumstances and conditions of them all in order to respitt their comming up. This I did as favourably as I cou'd, and upon it, as your Lordship knowes, I was ordered by the Queen to write to your Lordship to respitt the sending of them all except a few of Highland chieftans. The first sett being sent off long before this it was thought by the Councill that they cou'd not be stopt, else I believe most of them had been respitted too. As ill lucke would have it 'twas long befor a Councill cou'd be gott to lay this matter before them, tho' I and the Queen's other Scots servants endeavoured it all we cou'd; and after the respitting orders were given I sent them immediatly by a flying packet,

but notwithstanding they came too late, for which I was very sorrie. But as soon as I knew that the prisoners were sent off before these orders arrived at Edinburgh I wrote back to London (being then on the road) begging that they might yet be stopt; and when I found that was not like to be done, I and severall others of the Queen's Scots servants wrote earnestly that they might not be brought into London with guards nor putt up in prisons, and that the Queen wou'd be pleased to admitt them to baile. All which they know was very soon comply'd with. This being the true and literal matter of fact, let any body consider whither or not that aspersion so maliciously throwen upon us of our being the cause of bringing up the prisoners be true. It is hard that when we were doing all we cou'd to gett them respited that they shou'd believe us the authors of their comming up, on storries told by halves by people to excuse themselves. *Copy.*

Sir David Nairne to the Earl of Mar.

1708, July 17. Windsor.—Yeasterday the Queen signed the Earle of Glasgow's commission for the Register's Office, but with the old sallary of £444 16s. 8d. I told her Majesty that considering the want of Parliaments the place was of much less value than formerly, and besides they who had were often judges or had other imployments, soe that I hopt her Majesty would consider it. My Lord Treasurer sayes the augmentation of sallarys will certainly make a greater noise than any thing else, so he was against any augmentation in that cace. Mr. Carstairs, Mr. Stirling, and Mr. Bailie were to congratulat the Queen this day on the late victory and to desire a day of publick thanksgiving may be appointed. The Queen agrees to it, and the morrow it is to be adjusted in Councill. I had your Lordship's of the 11th from Dunbarr.

Lord Grange to his brother, the Earl of Mar.

1708, August 3. Edinburgh.—A very undecent thing then happened amongst us which makes a great outcry here and probably will do at London, and therefor I shall give you a faithfull account of it. Several points of Sir Patrick's cause were to be advised, and particularly a bill of Sir Patrick's reclaiming against a former interloquitor and Sir Robert's answers to that bill. In these answers there were some harsh expressions of which some of the lords took notice and desired that the answers might be reformed before we proceeded to advise, and the Advocat (it was Sir David Dallrymple) who drew them censured. This last was not so much insisted on, but the first was contended for with great heat, and instances of the practice of the Bench in like cases urged on both sides. I have seen the Bench superceed advising the cause till such expressions were rectifyed, when the cause might admit of a

delay without hurt to the partys or the publick; but if the cause seemed to call for a speedy decision, especially about the end of a session, I have seen the Bench proceed to the cause immediately, notwithstanding of undecent expressions in any paper, which they might afterwards censure as they thought fit. When those who were for rectyfying Sir Robert's answers, before advising the cause, saw that the plurality of the lords seemed to differ from them, and therefor that they would be overruled, severals of them got up from the Bench in passion; and when the President and others begged them to considder the gravity and decency required of judges in such a court, all the answer they made was that they knew no law oblidging them to meet in the afternon at all, nor to sit any longer than they pleased when they did meet at such a time; and so away they went. I need not trouble you with saying anything as to this answer, which was as weak as their cariage was unseemly. There remained a quorum still, and they endeavoured to take as litle notice as possible of their brethren's withdrawing and so would have gently passt it over, and were going to proceed to business; but then Forglan thought fit to rise, and tho' the President and others begged him not to break the quorum, and urged that so strange a thing had never been done in this court, which hitherto had been allways in reputation, yet away he flung allso. The cariage of those who went off first was certainly very bad, but to break the quorum was indeed a note above Ela. Next forenoon the same debate was resumed, and tho' my Lord Fountainhall and I were appointed to revise the papers complained of and to score out the harsh expressions, and tho' the Dean of Faculty and Advocats were solemnly called in to the Inner House and certifyed how much the Bench was offended at such expressions and warned to be more cautious for the future under all highest pain, yet it was still urged that the advising of the cause might be delayed; but a vote at length ended this debate, which had been manadged so litle for the honor of the Bench. It is certain that some of the lords who rose are far supperior to me and to others who sat still likewise, but in this particular they failed grossly. I am extreamly aflicted that so unbecomeing a thing happened for the sake of the Bench and likewise for my own sake, for common fame is not so just as to blame only those who occasioned it; 'tis probable the cry will be against us all as a parcell of hot factious fellows who determine causes more by humor and picque than by law and equity, which is very hard upon them who were not guilty.

THE EARL OF MAR to the LORD PRESIDENT OF THE COURT OF SESSION.

1708, August 25. Whitehall.—He has presented the letters from the Lords of Sessions to the Queen and Lord Treasurer. She will certainly make good to them what she has promised.

The Lord Treasurer says it is controverted whether or not the appropriation of the revenue by the Union altered the right of the Lords of Session, so that until they sued for what was due to them and obtained a sentence in their favour, he did not see how he could give order for paying it. They will thus know what to do in respect of this and also of arrears.

THE EARL OF MAR to the DUKE OF ARGYLE.

1708, September 13. Tittenhanger. My Lord: I hope this will find your Grace well after your glorious seige, the success of which we long to hear of. I would have given you an account of our campaigne in Scotland had I not knowen that my Lord Islay wou'd doe it and much better than I cou'd. It appears not to be yett quyt over, for some lords are to apply to the House to have the election examined, so we are like to have a committy of contraverted elections, a very new thing in the House of Lords.

I wish this contraversie were less incouradged, for the consequences of such things may one time or other prove very bad. I shall always beleive untill I see the contrairie that the House of Lords will judge impartiallie, and then reallie I think our election will stand good notwithstanding of all the noice thats made about it. It were to be wisht if possible that all this cou'd be prevented in time comeing; it is indeed the greatest fla in the Union, tho' it cou'd not be done otherways at that time, and I'm affraid there will be more deficultys in rectifying it than some people are aware of, considering the disposition some people are now in. I can give your Grace very litle news from this side, for things seem to stand much as you left them, tho' before the Parliament perhaps they may take another shape. But goe as they will I hope your Grace and those you formerly allowed your friendship (of whom I'm proud to reckon myself one) will always be of a peice together.

Since I cam to England I was desired by some of your uncle James's friends to speak in his favours to the Queen and Treasurer of that affair your Grace spoke of to me last winter. The Duke of Queensberry and I did it with all the earnestness we cou'd, but the Queen wou'd not promise a remmission to him, but said she thought he shou'd be advertised that depending on it he might not come into England where he wou'd not be safe; and this I told his friend who spoke to me. When I spoke to the Treasurer he said the Queen wou'd not he knew promise to pardon him, but when the Parliament mett they wou'd see he was one of their members, and upon that wou'd doe what they judged fitt in that affair; and he thought your Grace ought to be advertised of this in time that you might know how to apply and act in it. So I thought it my duety to lett your Grace know what had past in that affair. I shall be very glade if ever it be in my power to be

of any use or service to your Grace or any of your friends, and I hope when anything of that kind offers you will lay your commands upon me.

LIEUTENANT WILLIAM NODDING to the EARL OF MAR.

1708, September 20. From the camp before Lille.—My Lord: Though I know your Lordship hath better information of the seige of Lille than I can give, yet know it my duty to give your Lordship the best account I can, especially when I have the honour of your Lordship's commands so to dow. I shall not pretend to give yow pertickler detaile of the dispositions in order to beseige this plaice or the difficulty we have had to get upon our amonishons, or what different attacts on chapels, windmilns, counterscarp and other outworks being thear, are not unknown to your Lordship; with the enimyes windings and turnings, marches and countermarches if posable to raise the seige, shall only acquant your Lordship how matters now stand. Hitherto it hath been a very bloody seige. The loss hath been very heavy on our regiment, haveing allready kild Lieut. Collonell Sharp, Lieutenant Stueard, Lieutenant Cambell; wounded Captains Montersoer, Fairely, and Monroe, as is two lieutenants; kild and wounded one hundred and thirty, besides our company of granadeers intierly shattered, haveing seaventeen kild and twenty-two wounded of them allrady. I had forgot Collonell Lalo wounded in the hand, and Lieutenant Weames dangerusly in the head. We are now in posestion of all the counterscarp tho' with the loss of much blood, it haveing stud three several attactes; likewise of a double tenail which covered the flank of the bastion, which was on the left or de Mayes attacque. Thear are two good breaches maid on the Corp de la place. Our ingeneers are busied in blowing up some part of the covered way and breaking down an entry to the fussie to facilitat matters for making bridges towards the breaches, which the enimy as tis said have dexterusly underminded and fortified not only behind but likewise have laid a vast pille of dry wood and other combustibles behind the breach to set fier to when they can defend it no longer. Its said they will stand a grand attacqe upon the breach, which we cannot undertake til wee be masters of Aravlen and Hornwork, which is stil in there possession and in our way to the breach. Thear outeworks are so large and numerus that whatever way we make our aproches, notwithstanding of all our boyous blinds and angles, we are alwayes flanked and our men very often kild both with small and cannon shot in the very bottom of the trench. The enimy haveing a very strong garrisson and defends vigerously hitherto have disputed inch be inch. Stil thear is a great dale to doe; however our generals if posable are designed to have it, cost what it will. Its generally beleved our ingeneers have been very much mistaken. We have just now got up six hundred waggons with ammanition from Ostend escorted by 12

battalions and 8 squadrons under the command of G[eneral] Weeb and Cadogan. The Duke of Berwick with 22 battalions and 20 squadrons, some say 30, tooke a pass wheare they was to goe and lined the hedges on both sides; being alaine three regiments beet them from the hedges into a plaine whear the Duke had drawed up, and thear attaqued them near Lafin. After two rounds of 9-peec of cannon he marched up to Weeb who had maid front towards him, haveing closs ground on right and left, he received the enimyes first fire at a considerable distance, and after both parties withoute mixing keept a regular fire for an hour the enimye was beat back. As our men advanced the enimyes horss charged them, but was beat back allso, most of them kild or taken prisoners; amongst the last was three colnels. Wee tooke 6-pice of cannon. All our waggons is come safe up; and wee stil keep possession of the pass of Lafin, which secures our communication with Ostend. On the 17th in the morning at one a clock the same day they attempted breaking through the German camp into the town with 10 squadrons and one thousand foot upon boors horsies, with sack of pouder onder each of them. The advanced squadrons being two or three forced thear way through. As the rest came up with the pouder, some horssies garding them, by this thear was an alarm; some regiments nearist gott to armes and came so closs up on them that with fireing so nigh the pouder blew up and maid the most miserable masacre amongst them that ever was seen, the most of them being blown up, hors and man kild or taken; the horss in the reer maid thear escape, so that only two or thre squadrons that came up first got into the town, but no amunition, which is hardly sufficient to balance the discovery maid by this attempt. Some are of opinion that if wee were masters of the Raveline and Hornwork, and advanced our batteres to bear on the glasse, they will capitalat; what the event may be I cannot determin, only this I am ashuered of, it will cost us dear if we gett the town. Its generally beleived we have lost more men then hath ben lost in the whole army since Hogsted. If we can give any credit to deserters, they have likewise a considerable loss.

THE EARL OF STAIR to the EARL OF MAR.

1708. October 15 (N.S.). Camp at Rousselaer.—My dear Lord: Our affairs have been in so incertain or in so melancholy a way of late that I han't had spirit enough to write to you. I profit of a litle good humour wee have from the hopes of at last making a good end of the campagne to entertain your Lordship on a Sunday morning. I shan't trouble you with the begining of our siege of Lille and how wee came to be so much disapointed in our calculation of the time and necessarys for taking it, nor of the great difficultys wee have had in bringing so many and so great convoys of amunition, and of furnishing bread to so great an army in an enemy's country cut off from our own, difficultys great enough to make some

people more than once think of quitting the enterprise. If you will joyn to these circumstances the great numbers of men wee lost and the litle progress wee made at the siege, you will be pretty near able to imagine the uneasinesse of our situation here being laid out from our own country. Our generalls especially could not be very quiett who knew all these things better than wee. If they find remedys for everything and bring us happily out of so ticklish an affair, wee are obliged to praise their firmnesse that supported them in so very great difficultys and their adresse that brought us out of them. The circumstances of our affairs seem to give us a pretty good prospect of success, but shews us the end of the campagne at such a distance that I cannot very well tell whether I see it or no. I'll tell you how wee stand.

Before Lille wee have batterys upon the counterscarpe that beat a new breach, behind which the French wont have time to play all the tricks they had played behind which wee wisely made seven or eight weeks agoe. Our ingeniers tell us again the 19th wee shall have the town. If they don't keep their words I am for sending them to our friend the Emperor of Maricco for carrying on his siege of Ceuta. As to ammunition wee have enough for the town. You know how the last convoy arrived with the circumstance of the battle of Wynendale. Wee want another for the cittadelle and for furnishing our places on this side. Monsieur de Vendosme declared wee should have no more, and because Monsieur de la Mosshe had not managed matters to his mind, he came to Bruges to take care of them himself. He cutt all the dyks and putt the whole country under water, and to be more sure he campt his army on this side the canal of Bruges before Audenburg and began to intrench. But my Lord Marlborough, who knew the consequence of having another convoy arriving in his neighbourhood sooner than he expected, he repassed the canal with great precipitation. Wee marched this day seven night from our camp by Menin. Upon Monsieur Vendosmes retiring my Lord Marlborough returned to this camp of Rousselaer, which is within distance of supporting Prince Eugene if any attempt should be made against him. In the meantime our detachments stretch so as to cover the way from Ostende, whence wee are now receiving what we want by waggons and boats, waggons being the convoy on this side Leffingen, a post wee have fortified upon the canal; there the innundation forces us to put it into boats, which carry it where the waggons from our army take it up. This is troublesome, but it will doe. Wee are in a country abundant in forrage, where wee can with great ease subsist all this month and cover our waggons, which may be bringing ammunition every day. When wee have once made a sufficient stock of ammunition the cittadelle cannot give us great trouble. The garrison cannot be considerable, the ammunition of its magazin is now wasting in defence of the town, and their arms are extremely much spoiled; beside the circumvallation comes to be very short between the high

deuille and the low deuille, and the French must needs come back into their own country before they can pretend to disturb the siege. For the matter of forrage the French have subsisted since the battle of Hudenaerde behind the canal and upon the Scheldt. Forrage of necessity must be very scarce in their camp alreadie. Their cavallerie is now in very ill condition. Wee have now forrage in this camp for a month if wee have a mind to stay so long; after that wee have convenient subsistance for two months at Armentien along the Lys, where there has not been one trust made this war; a most excellent country and all the ennemy's. The town of Lille will furnish us a thousand things wee want now, such [as] wine, brandy, salt, etc., so your Lordship may imagine which army is like to suffer most before Christmass, we or the French without cloaths, money, or forrage. I desire you may not be scandalized at the word Christmass you may meet with somewhere above; I doe by no means expect the honour of seeing your Lordship before that time. Is not the war a good trade? Now there remains I think to say a word of Bruges and Ghent. In my humble opinion the French may keep 'em this winter, considering when wee are like to have done with Lille, but they will find it a very hard matter to make two such great towns subsist without any assistance of any maner of thing from without, in a country has been entirely eaten up.

Upon the whole matter I think wee shall be in condition to take Lille and the cittadelle if the water dos not hinder the rest of our ammunition to arrive, which I hope and believe it wont. In that case, and indeed in case wee have the town only, wee can subsist here, cavalry and infantery, till Christmass; long before that time the French will have found their project of shutting us up behind the Scheldt and the canall chimericall. How longer they persist in it, how much better it will be for us.

So much for our situation. If it should happen to be worse than I think it, I fancy affairs with you would have a very muddy look. I supose the Queen delays the meeting of the Parliament in hopes of having some good news to tell them at their coming together. I believe there are great men that equally dread having them too good or too bad; they'de have 'em so good as to bee free from the aprehension of ruine, so bad as my Lord Marlborough may need their protection and the Queen mayn't be able to think of standing on her own legs. How far they have prevailled of the ill way wee have been in you will know better than I. I should be very glad to hear. Their known industry dos not give one leave to doubt of their making the most of such an oportunity. If a treaty's concluded with them, our friends have no favour to expect in either of the Houses. . . . . .

Teusday 17.—Wee have done nothing at the siege since Saterday, so our batterys will not yet play for the new breach in a day or two. This retardment comes ill at this time of the year. Wee shall keep our communication with Ostende.

Lieutenant William Nodding to the Earl of Mar.

1708, October 14 (O.S.). Before Lille.—After our new batteries was finished they began to play on the tenth in order to make a new breach. They played with good success untill three in the afternoon, the bridges being part of them laid the night before, the galleries maid, and the fussie flooded. At half an hour after three the same day, they beat a shamad and planted a stand of collurs on the top of the breach profering to surrender on tearms. Accordingly hostages were delivered on both sides. There was a cessation of armes agreed on for therty hours before the terms could be agreed on, during which time the enemy and we were good friends. They brought oute good burgundie, and we drunk, carrest, and gassconadid each other by turns. Next night we got possition of one of the ports of city, and the capittelation signed by Prince Eugine and Marishall Boufflers. Our regiment was in the trenches at that time, and our Collonell was one of the hostages. I have not seen the articles of the capitellation, but are in substance that the horss which gott in since the town was invested, are to march out this day aleven aclock with all the marks of honour; all that was in the town before are to goe in to the Sittedell as is Marishall Boufflers. As soon as time will permit, I shall dow myselfe the honour to give your Lordship a more perfect account.

The Earl of Stair to the Earl of Mar.

1708, October 24 (N.S.). Camp at Rousselaer. My dear Lord: At last wee are masters of this troublesome town of Lille. I shan't trouble you with the terms of the capitulation. As soon as ever the siege ended it begun to rain; I hope it will grow fair again by the time wee begin to the cittadelle, which can not make a vigorous resistance considering how much the troops have been fatigued and how many things they want. The danger of leaving the French in possession of Ghent and Bruges, with Oudenaerde between those places and Tournay, is so very great that I believe wee shall hardly think of seperating our army, but indeavour to make 'em all subsist cantonn'd in this country, at least so very long till it be impossible for the French to undertake anything. This is by much the oddest situation ever was in war; but I hope wee shall get out of it at the rate of a good peace. There is no manner of doubt the French will bring all the troops they have in the world hither this winter or in the spring very early, in hopes to be able to take Hudenaerde before wee can gett into the field. There is one thing to be done which I dare swear would procure us carte blanche immediatly, and that is if the States would propose to the Queen to make an augmentation in this country next year of twenty thousand men; the very proposall would break the heart of the French. They know the troops are readie, and they are persuaded wee can find

the money when wee have a mind to't. I have reason to believe my Lord Marlborough will propose the thing to the States. I wish they may give in to it.

THE EARL OF MAR to his brother, LORD GRANGE.

1708, October 28. Whitehall.—I'm sorie to have to tel you that this day betwixt one and two the good Prince died after some dayes illness. He had his astma, a spitting of blood, a lethragie, an hidropsie, and something of a palsie. He was a very good man, and dies at an unluckie juncture; but God's will must be done. The Queen, who was the most loveing wife in the world, is, blist be God, in as good health as can be expected of one in her condition. She came from Kensingtone to St. James about two hours after he died. This is so latly happened that I can tel you little of what will happen upon it, but you shall hear from me e'er long.

THE EARL OF BINDON to the EARL OF MAR.

1708, November 10.—The solemnity of the interrment of his royall highness, Prince George of Denmark, being to be performed (pursuant to the resolution of the Lords of her Majesty's Privy Council) with great respect and decency, your Lordship is desired to be one of the supporters of the pall on this occation, and to meet at the House of Peers at Westminster on Saturday, the thirteenth instant, at the hour of six in the evening, and your Lordship is desired to send notice whether you can be there or no.

LORD GRANGE to the EARL OF MAR.

1708, November 13. Edinburgh.—I have often endeavoured to meet with Cromertie to get his polliticks from him, but have allways misst him. The President told me yesterday that he heard (and Cromertie was his author) the Treasurer had made up a friendship with the Whig lords and the Squadrone, but had left the Duke of Queensberry and his old friends out of the capitulation; and this storry he says is founded on a letter of the Duke of Hamilton's to some of his correspondents here. People here begin to believe something of this sort, and the story of Pencaitland being named to the bench confirms them in their oppinion.

LORD GRANGE to his brother, the EARL OF MAR.

1708, November 20. Edinburgh.—I have not yet seen the journals of the Northern and Southern Circuits, but as to the Western I shall trouble you with the following account of it and our way of manadging it. Since we wanted a purser appointed by the Government, who ought to have manadged our lodgings, table, etc., and these requiring a person who

has skill of such matters which we ourselves have not, we took with us Robert Innes (who was once Earl Panmure's master hushold) to order all these matters; and we had allso a coock from this town, that our table might be in tollerable order, since persons of the best quality were sometimes to be at it. I believe the judges of the other districts did not do this, but it seems they understood these sort of affairs better than we do; and beside we thought that to order all these matters ourselves would be a horrid trouble, and too great a diversion from our business. At our table we had generally 18 or 20 persons, and endeavoured to have all the people of note attending the circuit to dine with us by turns. We had but one set meal in the day, and never gave a botle of wine nor no entertainment to anybody but at that meal, and endeavoured to have things in that order and to manadge so as that the solemnity of these courts according to the ancient custom of Scotland might be keept up, and that nothing might be done unbecoming the sobriety and moderation of judges going on such ane errand. Tho' we were laying out our own mony, yet we resolved to do evry thing as handsomly as we could have desired the Queen's purser to do had he been along with us. When at Glasgow we dined one day with the Duke of Montrose and aneother with Lord Pollock, and when at Stirline we dined once with your mother in the Castle, and all the rest of the days had our own table.

My Lord Minto desired to carry with him his son and two or three friends more, and so I likewise took with me Sir James Dumbar and Mr. Ch. Erskine, Earl Buchan's brother; and since there was a table to be keept, these gentlemen could not burthen us much. Our expence is indeed greater than any of the rest, but we were both longer out than any of them, and by what I can learn we lived more constantly at the rate I have told you than they did. We have not charged a sixpence to the Government but what we have in write and instructions for evry article that requires instruction; all which we showed to the Advocat before we were reimbursed by him of the mony we layd out. As to the pomp and fanfaro (which I confess I thought a farce), when we went to the court and returned from it, we went in our gowns, the macer and trumpetters bareheaded before us, and before them the Sherief Deputes of the several shires answering to that district, but these gentlemen were covered, and before them went the magistrats of the town attended by their own town officers in ther usual fashion. And in the same manner we went to the church, which offended some of the Cameronians of Glasgow a litle, but the ministers and good honest Presbyterians were not offended at it. This they say was the former custom and method at circuits, which we thought was to be our rule. It was allso the custom to open the circuit by hearing a sermon, which we observed at Stirline; but at Glasgow the court happening to begin on Munday, and we having been at church on the Sunday before, thought it needless to have aneother

preaching on Munday morning. As to the attendance of the heritors and freeholders we observed the law and the Queen's proclamation exactly, and I think they attended pretty punctually, and yet we have fined (to the best of my information) as few if not fewer than any of the other two circuits, tho' we appeared far more strict and severe than they; but that occasion'd the less need of fyning. After our last sederunt at Stirlline, I went that same day to Alloa with Lord Minto (who was desireous to see it) and three or four more gentlemen, where G. Erskine provided such a dinner as was proper in absence of the master of the house. We returned that same day, and next morning Minto, accompany'd as the proclamation requires, went for Edinburgh; I having some business at Stirline which detained me there two days longer. This attendance and convoy, as the heritors call it a burthen on them, so I'm sure it is a horrid burthen on the judges; but since the standing law requires it we must submit to it, for as the law ought to be evry man's rule so certainly it must be the rule to judges, whether pleasant to them or unpleasant. It seems that some foolish person had made Earl Dallhousie believe that the Sherief and freeholders of Midlothian were not obliged to receive the justices at their entrance into that shire, nor to convoy them through it to Edinburgh, because the proclamation, say they, only requires that they be convoyed into the shire of Edinburgh. But this is a manifest mistake, as you may see by reading the proclamation, which requires them to be so conducted to the citty of Edinburgh. When Dalhousie and these freeholders met Minto, he told Minto in a kind of speech that these gentlemen came not to wait on him but upon his Lordship of Dallhousie as the Queen's lievtenant (why he calls himself so I don't comprehend) in that shire, and that he himself came to meet Minto out of pure civility and not out of duty. Minto answered that he was very indifferent of their attendance, but they behooved to understand that what they did on this occasion was not done to him personally, but to one of the Queen's justices; that he knew the law and that proclamation as well as any of them did, and as evry subject must answer conform to the law for what he does, so Earl Dallhousie and any who would join him might do as they would be answerable. When they came to Edinburgh, Dallhouse askt him where he would alight from his horse. At the stabler's, answered Minto, where I use. No, says Dallhousie, it was the custom for the gentlemen of this shire to conduct the justices either to their own lodgings or to the criminal court house. But, said Minto, I don't desire to make such a bustle and raree show on the street, and how come you to desire it since you said that these gentlemen are not obliged to attend me at all? Why then, answered Dallhousie, if you will not go with us we will go without you, and take instruments that we were there and that you refused to go along. Nay, said Munto, I'll never break your heart for that since you are so positive; I'll go to my own lodgings.

And so they rode all together up the Westbow and down the High Street to Mill's Square, where Minto's house is, where he alighted and at his own stairfoot made them a bow and left them. Some people cry out against Minto for making such a parade through the street, and for leaving the gentlemen so abruptly at his stairfoot. But the riding through the street was evidently against his inclination, and since these gentlemen had carry'd so strangely to him, I think they deserved no greater civility from him at parting. The other justices were not convoyed into Edinburgh, for the Justice Clerck and (I believe) Tilliecultry landed at Ormeston, Enstruther went home, and Cromerty when he came over the water was within a mile of Edinburgh, and I behooved to remain two days at Stirline. As to what our manner differed from the other justices I shall only say that I don't question but they had reason for what they did, and for our parts we made the law and the custom of former circuits our rule, which I hope we have observed. Our expence is indeed the greatest, for which I could give you particular reasons, and I beleive the bare comparing our particular accompts would give sufficient reasons for it. And in the general I think no man will believe Lord Minto and I so fond of spending our money that we would have done anything we thought extravagant, since these extravagancys were payed for out of our own pockets; and tho' we doubted not but we would be reimbursed at length, yet we had not much reason to expect that we would be reimbursed very soon, and therefor none can suppose but we would have spared our mony as much as we thought could be handsomely done, since we thought it probable that we would ly out of it a good time. Our circuit at Glasgow was allmost over before we heard that any mony was comd down for us, and it can not be said that we altered our way of living on this news. As to the peers sitting on the bench with us covered, you know that I never had any scruple as to that and other priviledges of the peers, which yet some of the lords of Session demur'd about, as you allso know very well. Lord Minto and I thought that it would be best for us (if we could get it brought about handsomly) not to begin the practice of a thing which was scrupled by the Society we belong to; and this very reason we gave to the Duke of Montrose and all the other peers whom we saw at Glasgow or Stirline, who were all well satisfy'd with it. And therefor in place of coming to the court they sent their excuses, which we admitted of; so that none of them came to demand their priviledge, being satisfyed of our respect for them. And in this I hope we shall not be found blameworthy. I wish the peers would now make a declaration of the nature and extent of these priviledges which have been so often debated among us, and which I'm perswaded any of the Session who scruple about them do it not out of the least want of respect or honour for the peers, but purely because they want to be better informed; tho' perhaps some people may make a handle of this to complain upon these lords.

As to that article of the accompt sent up by Lord Advocat concerning our equipages, we did indeed mention it in our memorials, and it seems to be the custom to give allowances on that account to those who must provide themselves for the Queen's service. And tho' it is most certain that I would have no use for so many horses and servants, etc., were it not for the circuit, and that the maintenance of them is a constant burthen upon me, yet I confess I never had great hopes of geting anything on that account, tho' I think it reasonable enough that I should. And if I do not, yet the things still remain, tho' useless enough to me were it not for the circuit. I know that the most part of the other lords accompts are less than mine too, and no wonder, for they have been better provided formerly than I was, and we resolved to set down nothing but what we had got for these occasions expressly. I had seven horses, and I don't see how I can ever have fewer, yet I only set down five of them. I was very ill provided in horse furniture, and furniture for baggage horses, etc.; I had likewise new liverys to make for footman and grooms, and I behooved to have them now; nor have I endeavoured after finerys (which I believe you know was never my inclination), but just to have my things in good plain order. And after all I have layed out more mony than I have stated in that accompt. If the Government think fit to give us any thing on this score, good and well it is; but if not there's no help, and the want of it will not much vex me.

As to our proceedings in judgement I shall say litle or nothing. We must answer to God Allmighty for all we do of that kind. And if any body desires to be satisfyed about them he needs but peruse our journal books, where all the tryalls and cases that were before us were set down and signed with as much exactness as is observed in the justice court at Edinburgh, which was never done so exactly at any former circuit of which I have seen the journals or have heard of. I believe the countrys in which we were are pretty much perswaded that if the circuits be continued among them in such manner as we began them, there is litle fear but peace and good order will be maintained among them and a due observance of the law, in spite of the most obstinat and presumptuous offender. The Duke of Montrose I hear was very well satisfy'd with our procedure, and I hope he will still do us justice.

I am sensible that our circuit may be made still more advantageous to the lieges, and we are resolved to send up the heads of such an Act as we wish may be made concerning them this Parliament, and this will be concerted by the justices and Lord Advocat, particularly as to the manner of taking up dittay and bringing deliquents to tryall, and as to the attendance of the freeholders. My letter is very long, but I had many things to write of, and therefore I hope you will pardon it.

JAMES ERSKINE (LORD GRANGE) to his brother, the EARL OF MAR.

1708, November 23. Edinburgh.—Explaining at length the reasons why the judges dismissed the case against the Stirlingshire gentlemen who were being tried for treason. He shows the mismanagement of the prosecution by the Lord Advocat, "who flew out in a most violent passion" upon hearing their interloquitor, and threatened the judges with her Majesty's displeasure. He hopes her Majesty will punish the Advocat for his insolence.

JOHN LAUDER (LORD FOUNTAINHALL) to the EARL OF MAR.

1708, November. Edinburgh.—I'm heartily sorry to be put on the necessity of renewing my former suit and giving your Lordship this farther trouble of procuring my dismission to be accepted. I know her gracious Majesties demurring arose from what your Lordship was pleased to say far beyond my deservings, which I oune hes laid new obligations on me; and what ever I be I hope never to sink so low as to fall into that base mean vice of ingratitude. I remember good Queen Elisabeth in a letter to the French King makes it on of the steps to the sin against the Holy Ghost; and morall philosophy calls it the seed plot of all villany, *si ingratum, tunc omnia.* Your Lordship may easily beleeve nothing could make me quite a post with so much honor, significancy and influence, but ane utter impossibility of discharging that part of it relating to the circuit courts. I make no doubt but your Lordship and others at the helme will sie it filled with a sufficient person, to the contentment of your native country.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1708, November 30. Whitehall.—I had yours last post of the 23rd, giveing an account of the tryall of the five prissoners. I'm very glade you wrote me a full account of that affair, for tho' the Advocat did not directly accuse the judges for what they did, yet he sent a memoriall here to my Lord Sunderland and a copie to me, wherein he endeavours to lay the blaim of the tryall's miscarying upon the judges. Upon this I found it necessary to show your letter; and had I not done it, 'tis pritty probable that the Advocat had been put in the right and the judges in the wrong. But when I showed your letter I told it was only wrote for my own information and not with a designe to be showen (so it is not to be taken notice of), but that had the judges knowen of the Advocat's information or thought that it wou'd had weight here, they had certainly sent a joint information of the affair for their own vindication. My Lord Treasurer told me to-night that the whole process was ordred to be printed. I fancied by this that it was to be printed with you; but I have since a letter from my Lord

Sunderland teling me that all he's to wryt to the Advocat to-night is to send up the whole tryall here with every particulare that past at it, that the Queen may the better judge when she has the whole before her; so by this I fancie it is to be printed here, but you'll know the certainly of this with you. The whole designe of this process was for exhoneration, for the Advocat gave an account here before the process was raised that he cou'd not prove it, so that it was better not to comence it; but people here of the Cabinet thought otherwayes, and that the Government was obliged to insist in it whatever the event shou'd be, so that now people here are more surprized that it should have been thought possible to make anything of it than that it has failed. But the designe with you has been certainly to lay the blaim upon the judges, and for others to ingraciat themselves by being thought zelous. Ther's scill in groule makeing is an old saying, but I fancie the judges will not suffer themselves to be made the dups; and since they did nothing but what they ought in law, they will show the Queen and publicke that the failor lay not at their door. I belive everybody is glade that nothing treasonable is made appear against those gentelmen; yet 'tis hard that the judges shou'd be made the cause of it when at the same time it is endeavoured to be showen as that the gentelmen were guilty. I'm affraid that by only printing the process, the judges reasons for susteaning the pannels objections to those two wittnesses will not be sufficiently seen; therfore I fancie they will think it fitt to send up here a joint memoriall of the whole affair that the saidle may be laid on the right horse, fall where it will, or otherwayes that their reasons may be insert fully in the process. If there be a memoriall sent it ought to be to my Lord Sunderland or Mr. Boyll, but rather to the first because the Advocat sent his memoriall to him, and he wrote the orders for the tryall. I shall be glade of a copie of it too. When I spoke to the Queen of this affair to-night, she said that she wou'd been glade to have knowen Cromerties oppinion in it, so you had best endeavour to make him join with you in your memoriall if you make any.

We were told here that the Advocat acted all along in this affair in conjunction with a certain person of your bench, and that persons friends here are not at all surprized with the failor of the tryall, but seem to winder at the judges. I need say no more of all this for 'tis easie to be understood, but will end with the saying they tel us of the gost to Midleton—Gramashes above and galashes below, its a winder to see how this world does goe.

Lord Grange to the Earl of Mar.

1708, December 4. Edinburgh.—I received your letter of the 27th of the last month. I'm very glad to hear that the peers are not like to drive so furiously as was given out here they would, and that you are like to keep your feet still in spite of Squadronie. Sir W. Bruce (who is still runing about

to propogat your interrest) told me that a friend of his, who is intimat with Dr. Dundass, told him he had seen a letter to the Doctor from London, written by Mr. Cockburn as he judged, but certainly by a Squadrone Parliament man, who writes that he is now quite weary of the polliticks, and that he resolves to leave them seeing there is no faith in mankind, for their party has forsaken him and his friends and left them to stand by themselves. Sir William told me likewise that the D[uke] of H[amilton] has lately written to his friends (I might justly call them his slaves) desiring Killsyth to be ready to come up on a call, but absolutely discharging him to come till he acquaint them that it is a proper season. Upon this they are all disconcerted, for they thought to have found that proper season long before now. I wrote to you formerly that they were to have a meeting on Munday last, but the Duke of Atholle pretended he was sick, Strathmore and Salton refused to join with them, and so did the Stirlineshire lairds, so there was no meeting; and now they speak very doubtfully of their projects. The Duke of Atholle refuses to join with them (tho' Kelly said to me he had promised to do it), but is resolved to send up one of his own choosing to represent his grievances, and I hear that the Stirlineshire lairds and some others intend to join with him, for both he and they disprove the Duke of Hamilton's measures and will have nothing to do with them. Strathmore will join neither of them as I hear.

I din'd this day with the Duke of Atholle, where none else was except the Earl of Bute. His Grace is full of his own story, and complains horridly of his house being made a garrison and he himself keept closs prissoner in it when he was so sick. He layed much blame on Earl of Leven, whom both Bute and I endeavoured to vindicat. He certainly hates the Duke of Hamilton at present, and can not hide it. He told us all the story how Orkney and Sellkirk endeavoured to bring him over to that party and how he resisted them, tho' he was at that time perswaded that none but they could procure his liberty; but he owns now that he owes his liberty to the Queen's servants and particularly to you and the Earl of Glasgow. He told us of his design of sending up one with his complaint, and seems earnest to know who they were who caused his trouble. Sir William Bruce tells me he had a long conversation with Stormont, and that he made him blush at the measures he had taken. He tells me that this Vicecount is now resolved to go very quickly to the country, and to stay there closs till Aprile next. In short those we call cavaliers here seem to be a set of disconcerted weak people, and I believe they have not resolution enough to carry on their designs except they meet with encouragement from above. All the Stirlineshire lairds have been to see me. They pretend respect for you, and will not directly let it light that they ever expresst themselves otherways, especially Carden. But it is hard to know what to think of them. We hear that the

Duke of Buckingham spoke in the House of Peers about the carrying up the Scots prisoners, and Sir P. King in the House of Commons. Sir William Bruce show'd me a long letter he got from his nephew Tom about the polliticks, which I need not trouble you with ane account of. He says he is much obliged to you and the Earl of Leven, and allso to the Duke of Queensberry.

Mr. Carstairs thinks that it will not be improper to appoint a visitation for St. Andrew's Colledge, providing the visitors be men who are friendly to the present settlement of our church, for that University has these several years been full of factions and divisions. Sim is a poor silly body, tho' I do think that Haddo has been much in the wrong to him. I was surprized to hear he was at London, which I never knew till you wrote it to me. I believe John Watson must have been sleeping these two weeks that Mr. D. Erskine and I have not heard from him, which is still the reason that the scheme is not sent up.

I long much to know what is said above of the tryall of the Stirlineshire lairds, and what the Advocat wrote up about it. I hope Mr. William Dallrymple is in no great danger, since the determination of his case is put off till so long a day. They talk here that Sir David Dallrymple is not well satisfy'd. As to the Lord of Session, some folks with us now say that neither that vaccancy nor any other that happens is to be filled up till the Session be reduced to the number of five or seven. Get it who will, I wish he may be a sufficient man; and I assure you this nation has great reason to wish that the vacancy in the Exchequer may be supply'd with a man of resolution, and one who is well acquainted with the Scots law and practice. . . . . My Lord Duppline came here on Thursday or Wednesday last.

THE EARL OF MAR to his brother, LORD GRANGE.

1708, December 7. Whitehall.—The storie was that here they think the Advocat was hudgly in the wrong and to blaim for the process miscairying, and they are so taken up with this that they do not mind his cariadge to the judges. They think too that the judges are blamable also. That person who came to speak to me of it said if the Queen did not take notice of it and do all that was in her power to set that court on another foot, in time comeing there wou'd be a great flaime in the Parliament about it and that her Scots servants and her English too who were their friends wou'd be impacht. I told him for my shair I was not affraid of those threats, whatever he was. But says he, you'll find it so, and what is proposed to prevent it is to turn out the Advocat immediatly and to fill up his place; but if that be done to the Advocat there must be something done as to the judges, which was to perswad them to demitt upon the Queen's signifying to them that it was for her service to have the Court of Justiciary and Session of different persons, that she wou'd continow the

100 lib. those of the Justiciary had more than the other Lordes of Session, and give £500 to each of the new Lordes of Justiciary. I did not at that time remember that by an Act of Parliament the Lordes of Justiciary were to be five Lordes of Session, so I only argued the improbability of the Lordes of Justiciary's demitting at this junctur and that they cou'd not be forced to do it, and the bad consequences such doings wou'd have in that parte of the nation at this time. 'Tis too long to tel you all I argued in this and what I said for vindicating the judges in what they had done, but he acknowledged what I said to be true and of weight, but that the consequences of the Queen's not doing it was of more difficulties and greater weight here. In this we differed, so we parted to think better of it. After this when I came to talk of it with our friends to whom he had desired me to speak, we remembered the Act of Parliament, and told him nixt time we saw him, which was yesterday, by which he saw there was no way of doing it but by a bill in Parliament, and was sensible of the danger of doing it so upon more reasons than one. He's affraid that it will be brought into Parliament by somebody or other, but I belive he will not desire it, tho' 'tis ten to one but it will arise on the Bill of Treasons which will certainly be brought in. Upon this stope in the affair, and nothing being practicable as to the judges by the Queen, he did not think it fitt to do anything at this time as to the Advocat, so the whole is over so farr for once. It was the Juncto that frightned him to all this, and I belive they had a further designe in it which was to make the Justice Clark president of that new court and to get five of their own creeturs join'd with him, and so these they do not like wou'd had some reason to pray for themselves. This was a fine project for the Queen, for now when the only Government of Scotland will be in the Justice Court, this was giveing them the government intearly in their handes and for life too. There was perhaps another reason in it also, which was to send Sir David Dalrimple from the Parliament by makeing him Advocat; but he wou'd not have accepted of it upon such an occation. The Advocat is saved for once (tho' you see what he ows to those new friends of his), but I believe about the end of the session here he may yet be changed.

1708, Edinburgh.—Memorial by the Judges of the Criminal Court appointed to try the five gentlemen sent prisoners from London, addressed to her Majesty for their exoneration from the accusation of her Majesty's Advocate against them of failure to do justice therein. *Copy.*

THE LORD HIGH TREASURER to the EARL OF MAR.

1708-9, January 5. Treasury Chambers.—I was desired by the Lords of the Counsell who mett yesterday at the Cockpitt to desire your Lordship, my Lord Lowdon, and my Lord

Seafield would bee pleased to meet them to-morrow at 12 at the Cockpitt to consider of such papers as might bee proper to bee given in to both Houses of Parliament pursuant to their address before the recess; and that your lordships of that part of the kingdome would come prepared with such papers as are in your hands which you may think proper upon that occasion. GODOLPHIN.

THE EARL OF MAR to his brother, LORD GRANGE.

1708-9, January 8. Whitehall.—Ever since my last I've delayed writing expecting every nixt post to be able to tel you of our affairs here and the changes I toucht to you being declaired, but from time to time they have been put off so that I can say no more now certainly than before. When we see what becomes of it at length I shall wryt you the whole storie, which indeed is a pritty odd one, so will say nothing of it now, only that the Q[ueen] stile sticks to her resolution and sayes positively that she'll do it; but it has been put off so often that I can never belive it will be done til I see it actually declaired . . . I've been bussie this week copying my papers and letters concerning the invasion to be laid before the House of Comons, which I will not at all be ashamed of, and for my shair I would be glade they were printed. Those very people here who some of the prissoners said had told them that I and some others advised bringing them up, now begin to say that bringing them up was a right measure, and that all well affected people, at least in England, must think so, and that we were against it because we favoured the prissoners and their way.

THE EARL OF MAR to his brother, LORD GRANGE.

1708-9, January 13. Whitehall.—I can give you little news from this at this time. I have been bussie these eight dayes in preparing my papers concerning the invasion to be laid before the Parliament. In a little time it will now appear that no Scots man was the occation of bringing the prissoners up here, notwithstanding all that was said of it in Scotland; and tho' my Lord Piterborough yesterday in the House of Lords threw up the ball and in a manner called up those concern'd who had suffered hardships in being brought up, yet they did not open their mouth. I realie begin very much to doubt of my Lord Sunderland's haveing said to the prissoners when here, as they afterwards gave out, that their own countrymen were the advisers of their being brought up, for now he makes no bounds of owning the advice and that it was a fitt measure; so you see how unjustly some of us have been accused. Our being in the Queen's service made it impossible for us to show our haveing no hand in this before now, but only saying as we did that it was not as it was given out; but now I hope all our countrymen will be convinced of it.

LORD GRANGE to the EARL OF MAR.

1708-9, January 18.—Prestonhall by all appearance can not live long, for he is mightily failed both in his health and judgement. Beside his gravel he has so terrible deal of defluxion that it is a wonder he is not choaked with it, and he sleeps allmost continually. I'm sure he does so on the bench; but that I would not write except to yourself, tho' it is too visible evry day to all the people. This method of our judges resigning their gowns in favours of their friends I confess I do not like, nor anything that has the appearance either of continuing clans and partys in a judicature or mercenarly bargaining about a judge's office. Daily experience puts it beyond contraversy with me that it is of the highest importance immaginable to fill our benches with men of knowledge and understanding, and who are firm and stedfastly honest and of a good and peacable disposition and not at all factious or given to follow partys. If those who are in power do not make it so, God forgive them, and God help this poor country. I would turn tedious if I wrote all that I think on this matter, and perhaps I should write too earnestly likewise, for I can not think on this subject without a great deal of concern. I long extreamly much to hear how the justice courts is to be modeled.

THE EARL OF MAR to his brother, LORD GRANGE.

1708-9, February 3. Whitehall.—I'm a little while ago come from the Councill, where the Queen declaird the Duke of Queensberry one of the Secretarys of Great Brittain, but that forragin affairs were to remain as they were; so the affairs of the Queen's dominions come to the three secretarys equally, and the affairs with foragin courts remain as they were, with the two former ones, which it was thought cou'd not be well altred during the warr. The Queen told me yesterday and to-day that she was to give the Privie Seal of Scotland to the Duke of Montrose, which she was told wou'd make her affairs easie, and she wisht it might have that effect; but since she had designed that place for me she would not dispoase of it until I was fully satisfied. She said also that she was advised to make the Duke of Roxbrugh of the Councill, and since they advised that she thought it reasonable to make the Duke of Argyll of it too, and sent me to tel him so yesterday. To-night at Councill after the Duke of Queensberry was declaird, the Duke of Argyll was called in to be swore, but the Duke of Roxbrugh was not there, nor was the Duke of Montrose at Councill. What's the reason of this they know best, but it looks pritty odd. Some pretend they were not in the way when their summons was sent, but thats a jest. You see I am now out of imploiment, which I know will be no surprize to you after what I wrote formerly of it, but I am very well content as to my own particulare, for the Queen has been pleased to give me three thousand pounds dureing her life, which she told me is as long as she can give it.

LORD GRANGE to the EARL OF MAR.

1708-9, February 5.—I may say freely to you what is not so proper for me to say to others, that the Bench proceeded in a very wrong and extreamly odd manner. I must say that the President acted handsomly enough, but God forgive some others. If that bench proceeded in all or in many causes as it has done in this and in Sir Robert Home's against Sir Patrick and Innermay's against the Marquis of Annandale, it would be a plague to the nation. Sir Alexander, they tell me, is now gone post to London, fully resolved to complain and raise a clamour against the Session's manner of procedure in this cause, and I confess he has got sufficient provocation, tho' I hope Sir D. Dallrymple will put him off that design. If violent complaints be made I'm affraid that the innocent as well as the guilty shall undergo all the same fate, which were very hard. We had never more reason to reduce our courts to exact good order and to proceed decently and justly, and if more such instances as these I have mentioned occur, I'm persuaded it will be made a handle of to introduce some great alteration in the Session, which I fancy the English and some of our own country would be fond of. This I confess is what chiefly makes me uneasy at the thoughts of leaving the criminal court and being only of the Session, for tho' I very much prefer civil to criminal affairs, yet there is certainly some signal alteration approaching the Session, and it is hard to know what my fate might be in that case. If the criminal court be altered and set up among us after the model of the Queen's Bench with a jurisdiction in civil as well as criminal business, I had rather a thousand times be of it than in the Session, and to set it on such a foot is in my humble oppinion the readyest and easyest way the English can take to introduce their law among us, and therefore I fancy it is probable that it will really be done.

LORD GRANGE to the EARL OF MAR.

1708-9, March 11. Edinburgh.—I forgot to mention in my last two whom the Council have immediately ordered to attend, and these are Lord Nairn and Lord James Murray.

THE EARL OF MAR to his brother, LORD GRANGE.

1709, March 12. Whitehall.—Deprecating the prosecution of the Episcopal clergy (which makes much noise here) unless it be absolutely necessary. The growth of popery in the Highlands is intolerable, and he is glad the circuit courts will do something to curb it. As the Towie affair is now to come before the Justice Court, he hopes the parties will be chastised so that they may do better in future. "Brux is the author of all, and if it be possible to come at him, I hope his quakarisme will not save him."

THE EARL OF GODOLPHIN, Treasurer, to the EARL OF CROMARTIE, Lord Justice General, and the rest of the Lords of Justiciary in Scotland.

1709, March 22. Treasury Chambers, Whitehall.—As they have represented that the £1,500 he has sent will not suffice for the expenses of the circuit courts, he has given order for the payment of other £500, but thinks the expenses of these courts might be greatly reduced, and invites their suggestions upon this.

In the reply, which is dated 9th June, and signed by the whole of the Lords of Justiciary, they state that their experience of the work proves that no less than £1,200 is sufficient to defray the expenses of the judges for the six weeks they must be absent on this statutory duty, and that for each of the two circuits at the eight places appointed. The other £800 has to be divided among twenty-seven clerks for taking up the porteous rolls, three clerks and their deputes for serving at the circuit courts, three depute advocates from her Majesty's Advocate, six trumpeters, and three macers of court. There are also incidental expenses, and the maintenance and renewing of their equippage will be an additional source of expense. But their lordships promise to take the whole matter to consideration before the British Parliament meets in winter. *Copy.*

1709.—A bundle of rolls of the freeholders in several of the shires and districts of Scotland.

Papers relating to the prosecution of forty of the Episcopal clergy before the Judges of the Northern Circuit in May, 1709, giving a list of their names and the proceedings against them, with a memorial thereon by Lord Grange.

Bundle of papers relating to the holding of circuit courts in Scotland, against the doing of which the judges remonstrated owing to the heavy expenses incurred, and for payment of which a special grant was accordingly made at the time by the Lords of the Treasury, 1709-1711.

Papers connected with the institution in 1709, by the General Assembly of the Church of Scotland, of the Society for the Propagation of Christian Knowledge, primarily in the Highlands and Islands of Scotland, but ultimately for missionary enterprise in Popish infidel parts of the world; with reports on the sad condition of the inhabitants of some parts of the Highlands of Aberdeenshire, 1709-1768.

THE EARL OF MAR to his brother, LORD GRANGE.

1710, February 18. London.—You'll be desirous of knowing what was done t'other day in our house with relation to Greenshields. The consequences we saw it would have which ever way it went, made some of us desirous to shift it at this time without either receaveing or refuseing the appeal. Had we receaved it, probablie it would have been reversed, and that would have given an absolut toleration in Scotland without any

restriction, which is more than what is here; and had we rejected it, it had set our Kirk higher than is good for themselves or anybody else." After sketching the nature of the debate, he says—"The minuts are ordred to be sent for; and when they come we'll be as wise as we were before, as the D. of Bucks said. But the short and truth of the matter, 'tis a delay of the affair probablie for this Session, which is all the one side intended. . . . . If our Kirk were so wise as not to oppose a legall limited toleration, it wou'd be the greatest security ever they had, and in twentie years there wou'd scarce be anybody in Scotland who wou'd think of seperating from them. But on the other hand, if they still persist in their bigoted, narow, tiranicall, unchristian, high way, and do not upon ths show more moderation, they must not expect that we'll continow to treat them so again, and a toleration as is here must cure it." Lord Grange may show this letter to Mr. Carstairs.

MR. HARIE MAULE, W. S., to the EARL OF MAR.

1710, May 30. Edinburgh.—Yesternight late we were alarmed with a story of an invasion in Galloway. The Towne Council, the Earl of Leven, Major Colt, and some other grandees held council upon it all night. I have kept the bearer to get some right account till now that it is after eleven aclock, and the storie is:—The Magistrats of Kirkcudbright writ a letter to the Magistrats of Dumfreis telling that they have advice from Whithorn that six French ships are landed at Baldone, and it's computed that every ship has 1,500 men on board (these are the words of the letter as they were told to me), and that they were landing. This letter is transmitted by the Magistrats of Dumfreis here with this addition, that the Earl of Galloway was raising the countrey to oppose these invaders, and that there was a man taken going from them with letters to the north. This is the account that the Magistrats give of it. After the Council parted this morning, the Earl of Leven caused put six centries at his door till he gott a litle sleep, not knowing what toil he might have to undergo this day. There's no other express yet arrived; yet this morning the Earl of Leven dispatcht an express to London, which will be ready to break the bank and sink all the publick funds; tho' the matter as is generally thought here be no more than some privateers landing to take some catle for provisions. For sure had there been any such thing as ane invasion, we had not been 14 hours without an express from the parts where it was, for it is now near to 12 aclock. If there come any further accounts, I shall send them to your Lordship.

THE EARL OF MAR to his brother, LORD GRANGE.

1710, July 8. Whitehall.—Your conversation with S[underland?] is very comicall, and so like a picture of him that anybody would know the man. Pray take cair to viset him imedeatly

after he hears of Lord Coningsbies being putt out, which will be by this post, for it was done last night, and I fancy it will stile make him in a greater quandarie. Perhaps you have heard of his charactur, which was non of the best with all sides, every body knowing him to be a k[na]ve. He was vice or under Treasurer of Ireland, which is worth six or some say seven thousand pounds, and is one of Lord T————'s first favourits. He had, as was firmly belived, severall sparks quartred on him, so he goes not out alone. I belive Lord T———— will resent this as much as most things, which cou'd have been done of that kind. In a word, S[underland] was our Coningsby, and so pray let me know your conversation with him on it. His successor is not yet declaird, but I belive will be to-night, so say nothing of it til you hear it otherwayes. It is Lord Anglesie, to make amends for his being baukt of being Secretary, and a good equivalent it is. Things will, I belive, go a little faster now, and you may perhaps hear of more changes e'er long. This may convince people how things will go, and who are like to be at the helme. You wou'd perhaps hear of a memoriall from the Dutch, which is true, and a pritty odd one it was, but it is like to have a good effect, and I belive they'll give no thanks to those who advised them to it. It is write here from Scotland that the brethren there resents Sun[derland] being put out, and seem alarmed at the measurs the Q[ueen] is like to go into. I doubt not but pains is taken that way, but I hope they will not be such fools to be catcht and made tuels to serve a sett of peoples byendes. The [Queen] has done too much for them if they are not sencible and convinced of her kindness and protection, which they ow more to herself than any minister ever she had, and it will be in nobody's power but their own to hurt them with her. Lord Hay wrote last post to Messrs. Carstairs and Stirling, and I thought to have done it this post, but I'm affraid I cannot now til the nixt; however, I wou'd have you to meet with Mr. Carstairs and give him my service, and talk to him of this affair at my desire. He has knowen Mr. Harley long, and where he is concerned in the Councills, I suppose he will not apprehend danger to our Kirk if they be not the occation of it themselves, which I hope Mr. Carstairs will take cair to prevent.

THE EARL OF MAR to his brother, LORD GRANGE.

1710, July 22. Whitehall.—I long to know if you have had a conversation with Mr. Carstairs, and how it past. We are told here from the highest to the lowest that the turning out of this man will make all the brethren run mad. But I hope it will not be so, and that they'll be wiser.

COLONEL ERSKINE to the EARL OF MAR.

1710, July 28. Stirling Castle.—I can tell you bot litle of the humers of people here at this time, bot that ther are a great deale of foolish talking. The Presbiterians here, and particular-

lie our two ministers, are very sober in publik, bot the Jacobites do all they can to inflame them with ther impertinent and foolish talking, for they talk of no less then a totall revolution for ther King; bot the people o[f] this toun generalie laugh at them for it. I wish ther could be som mesours taken to rebuke those foolish Jacobits, and to undeceive other well-meaning people, who are alarmed with fears of the Church and jealousie other ways for want of trew information, and that som of the clergie at Edinburgh, and som in high stations and have influence, would wryt to ther frinds in the countrie ther thoughts of the measours at present, and what is most condusable for the peace and saftie of both Church and State at this present junctour.

MR. JOHN MONTGOMERY, in the Duke of Queensberry's office, to the EARL OF MAR.

1710, August 8. Whitehall.—My Lord: In caice your brother should not have written to your Lordship this night, I thought it my duty to make known to your Lordship that this day the Queen hes declaired that the Thesaurarie is to be put in commission, and hes laid my Lord Thesaurar asyde. The number of the commissioners are said to be fyve, but their names are not yet known. It is talked that Lord Pawlett, Mr. Marley, and Mr. Padzett are to be three of them, but this is not certaine.

It is now thought that the Parliament will be dissolved in a few dayes.

His Grace the Duke of Q[ueensberry] gives his service to your Lordship, and hopes you will excuse him not wryting. He hes bein troubled with sore eyes, but is now much better, and resolves to goe abroad in a day or two.

CERTIFICATE BY SIR ROBERT MYLNE OF BARNTON.

1710, November 2. Holyrood.—That ther is in the Castle of Blacknes six gunes, foure of irone and two of brase, belonging to David Bruce of Clackmannan, and wich gunes he broght from Holand for his owne use, and wer seased and taken from him the tyme of the trobles in the West, in the reing of King Charles the Second of blissed memorie, althoe he was ane officer in the Earle of Mare's regiment at the tyme, and for wich gunes he never had satisfaction. *Signed*, RO. MYLNE.

SIR JAMES DUNBAR, younger, of Hemprigs, to LORD GRANGE.

1710, December 12. London.—It was thought that the proceedings of the Commons this day would have distinguished loyall good patriots from self-designeing people, upon the place bill. When Mr. Wortly brought in the bill, he and his party pressed much to have had Saturday last appointed for its second reading, but it was carried against them that it should not be till this day; and when the House mett, he rose and told that the place bill might have a second reading

according to the order of the House; he was answered by severalls that this day was likeways appointed for considering of the supply to be granted her Majestie, and that the present state of affaires did urge the speedy dispatch of them. To which he said that this day was first appointed for a second reading of his bill, and unless the House would go over all form and order it behooved to be read a second time befor any thing else came in, and perceiving a very thin House he would have a vote whether the bill should be read a second time before the House would consider of the supply; and the House divided, those for the bill were fifty, and those against it nynty-four. Delpholly and Doctor Hutton were the only two of our Scots members that were for preferring the place bill to the supply. The most of the Scots had not come in the time of the vote, but yesterday when the most of us mett together Gorthy declared himself against the place bill on any terms. After this was over, Sir William Withers (as he was named to me) made an other proposall for secureing the freedom of Parliament by declareing the qualifications of those that should be members of the House of Commons, and desired leave that a bill might be brought in to that purpose. He was seconded by Mr. Freeman and Sir John Stonehouse, who in their speeches mentioned that one necessary qualification was that none under five hundred pound sterling per annum should be capable to sitt in the House of Commons; which was pleasing to Mr. Harly but as disagreable to Mr. Wortly, who believed it was brought in on purpose to putt off his beloved bill. However, leave was given to bring in a bill in the terms proposed, and when it comes you shall be acquainted of the contents thereof. I believe whatever is done it will not reach our part of the island unless desired by ourselves and I believe our members will be very cautious of doing anything that may open the least door or give any opportunity for unhingeing our constitution, but will contribute as much as possible to strengthen it. I hope your Lordship will pardon this confused account of matters, and I hope the more easily that I am really att this time hurried. 'Tis said that the Queen has caused acquaint Meredith, M'Kertny and Honywood that she has no more service for them upon account of their drinking damnation to the present ministry, and other very unbecomeing expressions.

Sir James Dunbar, younger of Hemprigs, to Lord Grange.

1710, December 14. London.—There was nothing of moment pass'd in the House of Commons since my last. Yesterday the qualification bill, as it is term'd here, was brought in by Mr. Freeman and read a first time, and it was proposd that it might be read a second time befor the place bill because in it they would secure against all inconveniencies, so that there would be no occasion for the place bill. This was opposed, and it is to have a second reading on Wednesday next. . . . I hear this day that Duke Hamilton was yesterday made one of her Majesties Privy Councell.

Sir James Dunbar, younger of Hemprigs, to Lord Grange.

1710, December 21. London.—To-morrow the Duke of Hannover, Duke of Devonshire, and Duke of Argyle are to be installd knights of the Garter att Windsor, and many of our Scots members go there (hearing it is to be the finest show that can be seen in Europe).

1710.—Copy of the proclamation by Queen Anne anent the Court of Justiciary.

Information about Papists in the parish of Braemar, Aberdeenshire.

Commission to Mr. James Erskine of Grange, as Lord Justice Clerk, dated 22nd July.

Considerations as to the continuance of a Privy Council in Scotland.

Petition by the skippers of Alloa for the erection of a Custom House there.

Mr. Thomas Bruce to the Justice Clerk.

1711, January 23. London.—Within these two dayes our affairs here seem to have taken an unexpected turn. It is now beleevd (and I think not without good ground) that the warm enquiry is dropt, and matters are compounded. The first symptom was that the committie of the whole House was tourned into a select committie, which was plainly to lessen the authority of the matter. Hitherto it has been incertain whither Duke of Marlburrow was to go over or not, and when people observed the indignities putt upon him by taking away his dutchess key and places, it was reasonable to think he was not to go. But this day it is als good as certain that he commands for the ensuing year. And with the same breath Duke of Argyle goes away ambassador and generall for Spain. This, to be sure, gives ground of speculation. Some are enclyned to beleeve that this compounding upon the old friendship betwixt Duke Shrewsbury, Duke Mar[leburrow], and Earl Godolphin, joyned with the present straits in point of publick credit, and Duke Marlborrow's interest in the foreign alliances, (especially considering the chief obstacle which lay in the way of uniting the Tories is now removed, viz., the Treasaurer's unwillingness to joyn with the Tories least Earl Rochester should have overtoppt him), but now, I say, Godolphin having allready last the whyt staff, he is willing with Duke Malborow to joyn with the Tories. This indeed seemes to be the most lykely conjecture for the thing. But it is not easy to judge what consequences it may have either as to men or things; as to men, some are of opinion (but it is onlv a mere conjecture in the dark) that this new conjunction will wrong Mr. Harley, but others think that the old friendship goes no further than to make Duke Marl[borrow] and Earl Godolphin easy, and to take their assistance in domes-

tick credit and forrain affairs, both military and those of the allyances abroad.

What I say of the Scots I think you may depend on, but as to the consequences you are left to your freedom. So soon as the scene opens, you shall know further.

I doe not hear that Duke Argyle seemes any way dissatisfyed with his command, but I find our other countrymen are somewhat uneasy.

SIR JAMES DUNBAR, younger of Hemprigs, to LORD GRANGE.

1711, March 8. London.—This day Count Guiscard was apprehended upon suspicion of corresponding with France, and at two acloak was calld befor a comittee of the Councell att the Cockpitt. He was disarmed befor he was brought in, and Mr. Harly was closs upon him in his interrogatories, upon which he took up a penknife that was on the table befor him and stabd Mr. Harly in the breast over the Duke of Ormond's shoulder. By providence the knife hitt upon a bone and broke, so that its hopd his wound is not deadly. All at Councell drew their swords, but Secretary St. John's being nearest, run Guiscard through the body. The rogue's wound was dressd, and he carried in a chaire to Newgate; and I hope he may recover of the wound, for it were pity he dyd so good a death.

Its the news of the town too that Argyle fought yesterday one Colonel Cuts. The Duke behavd very bravely, first wounding him and then disarmd him. Its said that the ground of quarrell was that Cuts in a company said that Argyle had forsaken his old friends, and that he woud forsake his God too for his interest (the contrary of which is known to all that have a just information of the excellent qualities of that noble Duke), which Argyle being informed of he mett Cutts in a coffee house and askd if he said any such thing, which he endeavourd to excuse by saying he was drunk. Upon that the Duke very justly calld him rogue and rascall, upon which he sent a chalenge to Argyle, which ended as above. That is what I can learn, which I think my duety to acquainte your Lordship of, for your diversion now in your vaccance.

ALEXANDER RAITT to LORD GRANGE.

1711, March 8.—I have only to add to that paragraff of Mr. Dyer's letter inclosed concerning Mr. Harlay, that the wound Mr. Harlay received struck upon the bon, and that its the oppinion of his surgion and Doctor Ratclife that he's in no maner of hazard; which account I had from the Earle of Kinnoule, who was present at pancing his wound.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711, March 15.—I long to hear from you how the affair of Greenshield's is taken by the brethren and others, and what effect it is like to have in next Assemblie and over the country

amongst both sides. We are told here of some pritty extraordinary speeches which 16 and 13 made in publick conversation on that affair, which they might have spaird had they been as wise as their stations require. A great many of our comoners here, with some of our lords, have had meetings where it was proposed to restore the patronage in Scotland. I must acknowledge that I think it is very reasonable that they were restored but I cannot think this a seasonable time for doing it, therefore I have done all I cou'd to divert it at this time, tho' in a private way, and I'm not sure if I will succeed, but I hope I will.

THE DUKE OF QUEENSBERRY to the LORD JUSTICE CLERK.

1711, March 20. Whitehall.—The Queen has granted a reprieve to Robert Flyming, who is now under sentence of death for forging bank notes, providing such measures be taken so that he will be incapacitated for repeating a crime of that nature; and desiring his opinion. A copy of the Lord Justice Clerk's reply is put up with the letter. He points out that the Privy Council of Scotland, before its abolition, intended that capital punishment should not be exacted of such criminals, but the commuting of the sentence was sometimes entrusted by the sovereign to a servant of the Crown by a formal warrant. As to the lesser punishment to be inflicted, mutilation by cutting off the hands or other member seems cruel and ineffectual, as so long as he possessed a head, he could direct others in the performance of what he could not do himself. Perpetual imprisonment might make him more comfortable than he has been for years (at least before he took to forging bank notes), but his maintenance would be an intolerable burden upon the country. He suggests banishment from the country, not to return under pain of death. The gentlemen of the bank have dealt earnestly with him that no reprieve may be granted, but he is not to interfere. Edinburgh, 31st March, 1711.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711, April 21. Twitinhame.—You wou'd hear that by a blunder of Mr. Lowns, and Harley's being out of the House by the nonsence and foolie of others, all the pensions on the Post Office are cutt off, except those confirmed or mentioned by former Parliaments; but I think myself pritty sure of haveing mine again, and perhaps in a better way. I make no doubt too but the two coledges will have their gift again; and, to say the truth, it were not very just if the Queen does not give all back that was on it, considering how they lost them.

THE EARL OF MAR to the EARL OF OXFORD, Lord Treasurer.

1711, June 10. Whitehall.—My Lord, Judging it not impossible but at this time you may be about a new commission of trade, I beg your Lordship may pardon me for representing

to you, with all submission, that if there be not one at least of our countrymen in the new commission that whole country will not feal of being angrie and very much disobleidg'd at it, especially at this time when the only tuo bills concerning the trade of that part of the kingdom have had so hard fate, and also when (to my extream concerne) there seems such an inclination both amongst Whigs and Tories to be hard upon us. And in my humble opinion nothing but your Lordship's prudent, wise and dilligent managment can prevent our finding the wofull effects of it nixt session of Parliament. If that affair of the peerage then go against us, I dread the consequence it will infallably have. The Union depends on it, and on the Union, with submission, depends the peace of the Queen's reigne, and that reallie gives me more concerne in it than any privat hardship it woul'd be to me, tho' I vallue that a great dale; and one of our country who had a hand in the Union and did all in his power to contrebute to it as I did cannot but lay it much to heart to see us in great danger of receiveing hardships by it. I am not yett wearie of the Union, but still think it, if rightly used, for the good of the whole island, and also that it is the only thing which can preserve Scotland, and England too, from blood and confusion; so I do not at all repent any hand I had in it, tho' I'm affraid I have fue of either side of my opinion. But shou'd that hardship of the peerage be putt upon us, so contrair to all sense, reason and fair dealing, and if our trade be no more encuradg'd than yett it has been, or indeed is like to be, how is it possible that flesh and blood can bear it? and what Scotsman will not be wearie of the Union, and do all he can to gett quit of it? I beg your Lordship may pardon me for this warmth, but it's my zeal for my Queen and country that occassions it. I know to your Lordship those considerations will be of weight, but I'm affraid it wou'd be a wrong way of arguing with maney people here. I'm not surprized to see some of the Whigs act the part they do in it, for being disapointed of their designe in makeing of the Union, and so being wearie of it they want to make us as wearie that so they may gett free of it. But for these Tories who joine with them in this, all I can say of them is, O when will they be wise! My only comfort is that it is still in your Lordship's power to prevent and disapoint all these my fears, so my mind is at ease, for I doubt nothing but your Lordship by your managment will effectually do it, and so confirme a happy Union to both parts of the Isle, and this will be a work worthie of yourself, who is the only man capable to do it.

As to Mr. Beallie, I'll say nothing of him, your Lordship being the best judge; but if he be to be altered, I hope your Lordship will be pleased to remember what I have so often laid before you concerning the Earle of Northesk, who is reallie a deserving man. I ask your Lordship's pardon for takeing up so much of your time, and I am and ever will be by gratitud as well as duety, with all submission and respect, my Lord, your Lordship's most obedient and most humble and faithful servant.

ALEXANDER RAITT to LORD GRANGE.

1711, July 7. Whitehall.—I shall not doubt of your Lordship's hearing of the Duke of Queensberry's being ill, so shall only tell you that he died yesterday morning at five aclock. Duke of H——ton is exceeding bussie to succeed him, and it's not at all feared but his Grace will meet with a disapointment.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711, July 10. Whitehall.—I am so concerned and toucht with the loss of my friend, the Duke of Queensberry, that it gives me pain now to write upon that subject; but he died so han'somly, both like a gentelman and a Christian, that 'twere pitty you did not know it. When he found that the medicans they had given him had performd what was expected of them, and he yet not the better, he concluded himself near his death, and desired a person to be sent for, and when one was found, after hearing him say prayers, he desired the sacrament might be prepaird for him, and in the time they were adoing that, he took leave of all his friends present, and desired they might remember him kindly to those who were absent. He desired them to give his love and blissing to Mar and Loudoun, and to assure them he died with all the grateful acknowledgment one cou'd have of their faithfull friendshipe to him. He recommended his friends in generall, and some in particulare to me, and said he knew I wou'd do all in my power in showing kindness to his children and familie. He desired to tel all his friends that he hopt they wou'd join with me and serve me as faithfully as they had done him. He call'd up all his servants and took leave of them, and has left each of them a year's wages. He desired Mr. Boyll to let the Queen know he died a faithfull subject to her, and recomended his children to her protection. After this he receaved the sacrament, heard prayers and pray'd himself severall times, and never spoke after receaveing of any wordly affairs, tho' he lived above two hours after it perfectly sensible, and then died without any pain or concern, but like one going a jurnie.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711, December 27. Whitehall.—We are just now here in a very malancholie way in relation to this misfortoun which has happned to us, and with you I apprehend people will be more angrie than sorie for what has been done. Even those who were against us are sensible that it cannot stand as it now does, but whatever expedient they may think of offering, I judge will not please those of our country who are here, or at home either. The English, as most of the Scots are, seem to be wearie of the Union, but when they first come to think of it seriously, I doubt of their quitting with it. What seems to be the oppinion or resolution of our countrymen here for relive-

ing us of this hardshipe is one of two, either to dissolve the Union or else an Act of Parliament reversing what is done by the House of Lordes, and putting us in the same place and condition we were before, and as we understood it. As to dissolveing the Union in a Parliamentary way, I despair of it, or if it were possible in doing of it, they wou'd fix the succession, and in that case Scotland wou'd loose any aw it could have over England. As to the other, of putting us in the same condition we were by Act of Parliament, I can scarce think it practicable, let the Court be ever so sincear for it, for what made most of the Lordes against D[uke] H[amilton] was (as they own themselves) their being wearie of our elections, or any way except the sitting peerage being fixt in families; and they do not yet seem to repent of this, and it will not be an easie matter to make those people turn about and alter their oppinions so soon. By what I can learn the expedient they think of is to offer us a considerable number of our families to be chose and made by the Queen peers, with all the privil-edges of sitting, etc., as they are here to the number of perhaps thertie or some more; that the incapacity should be taken off all the rest of us; that our titles and precedencies should continue, and that we should be capable of being elected in the House of Comons. Whatever one may think of this, being in itself perhaps as good for the intrest of the peers of Scotland in generall as the foot we are put on by the Union, even as we understood it, I shall not determine; but whatever be in that, or if there be anything in it all, I apprehend no proposall of that kind will relish with our countrymen in generall, and no Scotsman will at this time venture differing from the rest of them. There is one thing certain that if any expedient can be found this is the time, when the injury or hardshipe is fresh, but I doubt much if any expedient they will offer us will be acceptable to our countrymen, and if we be all against it here it will never cairie amongst the peers in Scotland (where it must go), tho' the Parliament shou'd pass it against the Scots members of both Houses, as they did the Treason Bill. Thus are we situat, and I belive never were people in harder circumstances. Pray let me know what are people's thoughts with you on this affair, and what is said of us all here. I write this only to yourself, and 'tis not fitt this should come from me, and perhaps not from you either. The Scots peers here meet to-morow, and then it is probable we will come to some resolution. I apprehend the first stape we will make will be a representation to the Queen, but before she can do anything effectually for us, she must put herself and her servants in a capacity of acting, for as things stand now they are not. This week and the begining of the nixt will show what is done in this, and you will hear of it, so I'll say no more of it now. I suppose the reasons of our dissent were sent you; pray let me know how they are likt. We could not adventure makeing them stronger, and as they are I belive they are strong enough for the other partie to score them out.

1711.—Papers in a process regarding King's College, Aberdeen.

Several letters relating to the prevalence and increase of Popery in the Highlands and some of the parishes of Aberdeenshire.

Several letters about a dispute among the heritors and the allocation of seats in the Kirk of Towie.

Account of an assault on Castle Grant and Lady Grant there by the young Laird of Grant, who is at variance with his father, 1st July, 1711.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711-12, January 1. London.—This morning we presented our representation to the Queen. The Duke of Hamilton has sent a copie of it to John Hamilton, with the Queen's answer to it, so you will get it from him, and certainly it will be no secret. This is all I can now say, and I need not tel you of our changes here for you'll hear of them otherwayes.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711-2, January 17.—You may be sure it is a great pleasure to any here who has any concern in publick bussines to find that what they do is agreeable to their country at home. Since my last we have been as bussie as was possible for us, trying how to get relife in this matter. Some of our countrymen here, particularly 25, thought fitt to say to every body that it was in our power who are of the House to get ourselves sett right, but they were not pleased to mention the way that this was to be done, which indeed was cruell to us; but that they have little reguard to and likes it the better for it. We have mett every day, I mean all of the sixteen who were here, and we were so luckie to be alwayes unanimous in our oppinions til now that 28 is come, who differs (by himself) from all the rest, and I'm apt to belive will continue to do so. Yesterday at our meeting 33 said whatever was his own oppinion in any parts of this affair he wou'd think himself oblidgd to lay it before them, and if they did not agree with him he would submitt himself to the majority of them, and act as they agreed as cordially as if he was of that oppinion himself, for he thought our unanimity was our only strenth in this affair, and he hopt we wou'd all be of this oppinion. We have been alwayes of oppinion that the Court was the most likely to give us relife in this matter, but we toke cair to let them know that if they wou'd not, we would all join with the other partie. We were likewise of oppinion that whatever partie we joined with for relife, we must necessarly support them in other bussiness which should chance to come on in the time our business was adoing, unless we saw that the party we was with should postpone or give unnecessare delayes in our bussines. 28 I thought agreed to this on Munday last as we were agoing to

the House, but before he got there altred his oppinion. However, that day the adjurment prevented any occation of our differing. This day he declaird plainly that he wou'd submitt his oppinion to no man, and wou'd not say he wou'd act in anything until he saw distinctly what was proposed for our relife. Some of us were desired on Sunday last to meett with some Lordes of the Councill at the Cockpitt, where we were told of that parte of the Q[ueen]'s spetch concerning our affair. I now send it to you inclosed. It was agreed there that the Queen shou'd be addrest to lay proposalls on this affair before the House, and that in other things we shou'd support the ministry, as I said before. This seemd to please our meeting on Munday last, and this was our oppinion to-day also, only 28 differd from us all. To-morrow is appointed for takeing the Q[ueen]'s message under consideration, and then that address to her Majesty for lay proposalls, etc., is to be pusht, which I hope will cairie, and if it does, the ministry is to concert these proposalls with us. All this time we have not had the least offer from the other partie, and if they should give us fair promises, as they did at the Treatie, and even, contrair to their custom, mean them sincearlie, it is not in their power to give us relife, for that must be by Act of Parliament; and tho' they and we joind could cairie it in the House of Lordes, they could not in the House of Comons. The Court professes to be sincear to us, and 'tis so much their intrest to be so, that it can scarce be doubted; but they will have no small difficultie to bring up their people to what will please us, if it be in their power to do it at all. So you see what a wreched way we are in; but so it is, and we must do our best. And when we have done so, it is very probable that we will be blaimd at home, but that cannot be helpt, and we must have a good conscience to justify us.

We are in a harder state than you imagin. Tho' both parties be wearie of the Union, they will upon no tearmes that I can yet see quitt with the Union in a legall way. They are so wearie and abominate the elections of our peers so much that they (I apprehend) will never restore the Q[ueen] to her hability and us to our capacity without we quitt with them. If we shou'd agree to this, I'm affraid they wou'd not come near that number of our peers to be made heritablie (which is the only way they will hear of) as wou'd satisfie us, so what we can do God knows, and I wish He may direct us. To go peacablie home and rebell, as the Irishman said, is but a bad remidie, and yet it is impossible for us to lay under this hardshipe. If we saw a possibility of getting free of the Union without a civill warr we wou'd have some comfort, but that I'm affraid is impossible. They all (I mean the English) agree that the elections cannot be altred without the consent of the Scots peers (I do not mean of the sixteen only), and how that can ever be gott is more than I can tel. Here you have the desease, and I wish you could find the remidie, but that is not so easilie found as the desease is. However, 'tis impossible

to give anybody a true and just vew of this affair, and to make them comprehend the difficulties in it at a distance. As to this affair of ours, there is nothing so like a Whige as a Torie and nothing so like a Torie as a Whige—a cat out of a hole and a cate in a hole.

Notwithstanding many dissapointments I have mett with in the Union, I have yet some hopes that if this of our elections were altred to both our contents, they wou'd come to treat us more like one people; but as long as they last they have such an apprehension of the aquisition of strenth the Crown gets by us, and as it were in opposition to both their parties, that they will ever treat us as enimies, Whige and Torie being alike affraid of the power of the Crown.

I must own to you that I think its possible to find out an expedient in the matter of our elections more for the intrest of our nobility and Scotland in generall, and what wou'd be thought so there if they judged impartially; but I know the bent of that country is so much for the dissolution of the Union, that they will not harken to any expedient of this kind with patience, thinking it is to confirme that which they hate; so one must be very cautious how they go into anything of this kind. . . . . With you I have no doubt but the dissolveing of the Union is thought to be possible and pritty easie in a Parliamentary way; but that I cannot conceave, and I fear it will be found so, and I wish our countrymen could be made understand this.

We here have proposed no expedient, and when any were proposed to us, endeavoured to show the impractibility of any succeeding. We askt one of two things—either to be put in our own place as we were before the Union by dissolveing it, or as we were before this vote in the House of Lordes; but as yet have got little satisfaction in either of them from anybody or partie. Those who seem'd to wish us well, told us they wou'd come into any reasonable expedient to set us right provided we would agree to parte wth our elections, and this ha been told us by both sides; but they sung dumb as to any of the other two. Severall of them have talkt of expedients to us, but there has been no formall offer of any, so I send you non of them, being only talk and only seemeing to forme what will bear.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711-2, February 14.—I find that in Scotland it is thought that the expedient which was talkt of here in the affair of the peerage was a proposall of the Scots lords who are in the House, which is a very great mistake, for they never proposed anything but to be restored to the condition they thought themselves in before the judgment, and this not one almost of any partie here wou'd hear of, which was the reason we did not propose it in the House. It was the English who talkt of the expedient to us, and those of them who had been most

friendly in the Duke of Hamilton's affair, I mean the Court; but they could not bring the House up to what they intended, as you would hear by the word *request* being put into the resolution in place of *consent*. The nixt offer was made us upon this was that the Queen should be enabled by an Act of Parliament to call the peers of Scotland togither to lay this matter before them, in order to their laying before her Majestie what they wou'd propose in this affair, and then betwixt and that meeting the Queen's servants wou'd concert with the Scots here a reasonable scheme to be laid before them, and measurs would be taken to bring all the peers of Scotland into it, seeing it for their own intrest, and so that they would lay it before the Queen as their request, that she might lay it before the Parliament nixt sessions. This they said was all that was in their power to bring people up to just now, and that by the former proceedings it appeard that if they should come to any particulare of the project, it would be made harder for us, but that against nixt sessions the Court would have more power and have their partie more of a pice. We thought it reasonable to hear what expedient would be proposed to us after the D[uke] of H[amilton]'s defeat, and so went on as we did, thinking we were in no danger since the peers of Scotland wou'd have it in their option at last to accept of or no as they pleased; but after that resolution was cairied in the House, with the word *request* in place of *consent*, and the only expedient to be further proposed that act empowering the Queen, etc., as above, we all thought this could be of no use in furthering our relife, and that the peers of Scotland when mett would never request the altring our elections, espetially when there was no certainty proposed to them of what they could expect in place of them, and that this would only be a delay. Therefore by the advice of all the Scots here we resolved to refuse this that was proposed by the Court, and if it was insisted on to oppose it. We acquented the Court of this, and when they found this to be our resolution they did not propose it, so there was nothing at all proposed in the comittie, which dropt at that time. We resolved at the same time not to attend the House until we saw some appearance of relife proposed to us, and this we let the Court in privat know. This was thought by a great many of our countrymen here so necessare for us to do, and that the Court and Tories seeing us absent would agree to do something reasonable for our relife rather than be without our assistance in the House in their other bussiness, that had any of us been of an oppinion against this measure it had not been saif to have own'd it, for they would been very near thought traiters at home, and so have lost all intrest. We did not resolve to abandon the House entirely, but to neglect attending it, or when any of us should be there on a summons or by accident, we should not act til it was by the consent of the major parte of the sixteen present here. Thus we all stayd out of the House two dayes, at which the Tories were excessively angrie with us, and I

am indeed affraid it has done us no good. The D[uke] of H[amilton] was unluckie in it, for by our absence he lost a point betwixt him and Lord Mohoun, tho' indeed it could scarce be foreseen that it would happen so. The Tories were so angrie at our absenting that severalls of them resolved not to support the Toleration Bill if we did not attend, and some of them were resolved to join with the Whigs against it upon the account of its being unseasonablie brought in. This made severall of us think again, and tho' some of us would not have been for bringing the bill in at this time had they been consulted, yet since it was past one House we thought its being lost in the House of Lordes would be of worse effects; and therefore ther was a meeting of the sixteen peers desired at the D[uke] of Hamiltons. It was argued there whither we should attend or not; some were much against our attending, as 17 (who declaird positively against the bill itself, which there was no occation of doing); 56, 99, 84, and 130 were also of this oppinion. 33, 38, 45, 71, 92, 108, and 129 were of the other oppinion, and thought since the bill was like to miscairie if we did not attend, and that since it only or principally concernd Scotland and not a bussiness of the parties here, it was not breaking our resolution to go to the House on this occation, espetially since our resolution was not to abandon the House but only to neglect attending it, and when we hapned to be there that we only should not act without it was agreed by the major parte of us, that if the bill should chance to miscairie by our not attending we wou'd get little thanks from our constituents at home; upon all which they thought we should go to the House and every man act as he thought right in it. This being the oppinion of the major parte, it was resolved to go to the House, at which 17 was exceeding angrie, and at non so much at at 108, but he could not help it, tho' he endeavourd it again at a new meeting the nixt day. 28 nor 55 was at non of those meetings. So much for the historicall parte; I belive I must delay the rest I had to say til nixt post.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1711-2, March 13.—What humour will this Assemblie probablie be in? The Toleration is past, and the Act for restoring the patronages and another, the Christmass vacance, are ordred to be brought in, and in all probability will pass, and perhaps an act for inquiering into the bishops' rents in order to resum them will be also brought in. Did the Presbiterians see their own intrest they wou'd be quiet and easie, for when those things are once done ther's an end of all can be done against them, and their establishment wou'd then be secure, and those things they could not but expect wou'd happen on time or other; but this I'm affraid is too wise a parte to expect they will act. Tho' if they should be angrie what can they do? These things will be past, so they cannot remonstrate against them. 33 is very well with 157, and 160 will certainly do all

he can to keep the Presbiterians right. 38 speaks of this place for himself in jest, tho' indeed he is in earnest, and I do not know but he might succeed in getting it if some people concurrd, which 111 could probablie perswade so to do. I have reason to belive that 33 wou'd be more acceptable than he to the Assemblie. But all this is only a rud thought, and I belive it had scarce ever come in 33's head if it had not one day a late been spoke of to him by a certain person by way of jest, tho' he apprehends it was not altogither meant so; and in case anything more that way should be thought of, he is very anxious to have your oppinion of it soon, but he injoins me to tel you that you must speak of it to non liveing. Were you of oppinion for his accepting of it, and it came to be proposed seriously to him, I realie belive he wou'd repent this thought of his and refuse it; but pray write freely upon this point, and who else you wou'd think proper for that post. Annan-[dale] is gone for Aix[ ], and perhaps will go farther, so thers no thinking of him, and even tho' he were here, for he's angrie

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1712, April 10.—The Act for the Christmass vacance past our House to-day, but there is nothing in it of observing the 25th of December or 30th of January. The Patronage Bill is to be before us on Saturday, and by all appearance will pass too. It is not certain yet who is to be commissioner to the Assemblie, but I think 23 is most likely.

SIR HUGH PATERSON to the JUSTICE CLERK.

1712, April 15. Whitehall.—We have gote our two bills that were depending, which concerned our country, now passed both Houses, the one for a recess to the Courts of Judicature and the other for restoring the patronages, so that they want nothing now but the royal assent, which I hope they will have before the recess, they being both to be carried bake to the Lords this day. That of the patronages meett with some oposition, and counsel were heared against the passing of it att the barr of the House of Lords in behalf of the Commission of the Asembly, who had sent up here a petition against the passing of it; but their petition being adressed to the peers of Great Brittain, which was not in the due forme, Mr. Carstairs was oblidged to withdraw it, and present ane other to the Lords, spiritual and temporal. However, that had also little effect, the bill being carried by near two to one, tho' they had gott the whole W——s convined to opose it. The Bishop of Salsbury was one of the greatest sticklers against it, which I belive made it not goe the worse. The time allowed for the Christmas recess is the same as it was formerly, from the twentieth of December to the tenth of January.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1712, April 16.—The Comissioner to the Assemblie was not determind til yesterday, that the D[uke] ot Athole kist the Queen's hand on it. He was no wayes desireous of the emploiment, and was backward enough in accepting it. He goes off this week, and will have but scrimp time to cairie him to Edinburgh by the day of their meeting, which I'm told is the first of May. Mr. Carstairs goes to-morrow. . . . . If the Assemblie be wise they will be calme and easie, if they be not they will bring an old house down about their ears. I hope the D[uke] of Athole will be acceptable to them, and I wish things may go right in his handes.

SIR HUGH PATERSON to the JUSTICE CLERK.

1712, May 24. Whitehall.—My Lord Strafford is expected to goe bake fore Holland in a few days; his comming over here seems still a secret, tho' people make various conjectures about it. The Qween came to the House of Lords on Thursday, and gave the assent to several acts, among which were that of the Patronage and the Christmas vacation.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1712, July 22.—The Duke of Argyll goes one of these dayes for his government of Minorca; he goes throw France, and I belive is to take our troops in Catalonia along with him. And the Duke of Hamilton goes very soon into France, of which he makes no secret, else I should be shy of teling it. They seem both to be mightily pleased with their expeditions. . . . . By the two papers you sent me last post I think the brethren are going mad, and it is not like to be their fault if they go not fast to perdition; but in my opinion the best way with them at this time is to dispise their doings so much as to neglect it, and take no notice at all of it. I hope it will not be in their power to stirr up the people to the follie of laying their foolish whimsies to heart, and so make their quarle theirs, and the longer they strugle in the net they will but intangle themselves the more, and in time be glade of a gentle hand to relive them. 100, with whom I spoke of this to-day, seems to be of this oppinion, and I'm sure it will be their own fault if they be made uneasie in their time; when they come to get the apparent darling of whom they seem to be so fond, perhaps they will be made to understand themselves, and to eat their meat in order, or else walk off in a pair of new shoes with a fine stick.

1712.—Copy of the Establishment for Civil Affairs in Scotland as at 25th December, 1712, with the salaries paid to each person in sterling money.

1713, October 31.—Note of Treasury compt books and papers put up in a box at Alloa in order to be carried to London.

Imprimis.—Thirteen Treasury compt books of John, Earle of Mar, Lord High Treasurer of Scotland, from the year 1616 to the year 1630.

Item.—Thirteen Comptrollary compt books during the said space.

Item.—A compt book of the ordinary taxation granted to the King in the year 1621.

Item.—A compt book of the ordinary taxation in the year 1629.

Item.—A Cunzie-house accompt from March, 1620, to March, 1622.

Item.—Eleven copys of Sir Henry Wardlaw's accompts as generall receiver in the years 1627, 1628 and 1629.

Item.—A bundle of papers in relation to the keeping of the Prince and his family.

All the above papers are returned

1713, December 9.—Account of a violent assault and attempt upon the life of Mr. William McKie, minister of the gospel at Balmaghie, by James McMillan, brother, and James McCartnay, brother-in-law of John McMillan, lately deposed minister of Balmaghie.

1714, June.—Some papers relating to private arming in Edinburgh at the end of Queen Anne's reign.

(1) Sergeant Scott's affair in Edinburgh Castle.

Upon the —— day of May last, about ten acloak att night, quhich is the time of shutting up the Castle gates, Sergeant Scott, one of the sergeants of the Castle (then a prisoner in the Castle), haveing a considerable number of arms in his house within the Castle, ordered his wife to carry out these arms. When she came to the Castle gate, together with some soldiers who were carrieing the arms, she told the corporal who was upon guard att the gate that these were arms quhich her husband had purchased, and that her husband being now in prison and in danger of being broke, he was affraid these arms might be taken from him, and therefor had ordered her to carry them out and to dispose of them. The corporall told her for answer that these arms lookt to be some of the Queen's arms, and that haveing no orders to let arms pass, he could not

allow her to carry them out. She made answer that they were only arms her husband had bought, and pretended that Lieut.-Col. Stwart had given her allowance to carry them out, and told him that ther was now standing by Cambell of Burnbank, the storekeeper, who might survey them, and would therby know that they were none of the Queen's arms. The storekeeper was accordingly desired by the sergeant's wife to look to the arms, and after pretending to survey them he told the corporall that they were none of the Queen's arms and did not belong to the magazine, and that the corporall might allow them to pass; and they were accordingly carried out. In a few minuts therafter Lieut.-Col. Stwart was acquainted with this, and immediately sent out a party after them and seised and brought back the arms into the Castle, where they now are; and by inspecting of the arms it appears they have the Queen's mark upon them, and are the same with the other arms now in the magazine.

(2) List of Sergeant Scott's men.

Tho. Arskin, E. Bu. Bro.	Jo. Ferguison, lainer.
Cha. Sinclair, Do. S. son.	Hew Hawthorn, m.
Wm. Davidson, Bar.	Rot. Wilson, m.
Ja. Steuart, Do. S. son.	Ad. Ionston, m.
Ja. Blaikie, mer.	Ja. Burns, m.
Geo. Bredie, st. of law.	Jo. Bryson, m.
Rot. Grierson, m.	Ja. Garner, m.
Wm. Hutton, m.	—. Spence, lainer.
Jo. Arskin, Col. A. son.	Jo. Blair, m.
Geo. Hill, E. Du. sert.	Rot. Blaikwood, m.
Wm. Keir.	And. Allan, m.

(3) Paper endorsed "Private Musterings."

Thomsone of Queenshaugh, his barns up the close nixt to John Yorstoune, baxter, in the Grassmercat, are rendezvous, which were openly seen and are attested by William Allan, William Seller, John Ross, Will. Horsburgh, Thomas Crightoun, Robert Duffus, James Wallace, James Blackwood, Capt. Ross, William Nicholson, with many more; and that the same exercise is keept in Davies Darn, at the Pleasance, and other places, as is informed; and for the better belief of this matter, Mr. James Waterston, tobacconist, John Hunter, baxter, Thomas Mair, sone to the minister of Culross, and—Hepburn, a hill minister's son, were souldiers in the said exercise, and Doctor Sinclair's sone gave the word of command; and that a serjand in the Castle of Edinburgh is dreelmaster, and a soldier keeps the door, to witt, one Scott; and all of them are viewed once a fortnight by Major Aikman and Capt. Blaccakter. [On the back] Wm. Allan, a procurator before the inferior courts; Wm. Allan, servant to William Robertson, one of the under clerks of Sessions; John Ross, I suppose, is servant to George Leviston, also under clerk of Session; Wm. Nicolson.

David Thomson, pir. makr.
Geo. Cowpland, st. di.
Jo. Heyburn, st. di.
—. McCoul, st. di.
Tho. Old, m.
Jo. Hunter, bax.
Alexr. Hume, lainer.
Pat. Hutton, m.
Ja. Waterston, m.
Tho. Finlason, st. di.
Francis Gordon, sur.
Will. Dickson, wri.
Geo. Pettrie, lainer.
And. Lawson, bar.
Rot. Lawder, bar.
Jo. Baxter, bax.
—. Verner, st. at law.
Will Walker, thesarr.
Geo. Nichol, m.
Tho. Gray, lainer.
Ja. Bennet.
Jo. McArthur, m.
Will. Mure, m.
Hew Campbell, m.
Ja. McLellan, m.
Pet. Lafreis, m.
Ja. Donaldson.
Pet. Murray, m.
Wm. Inglis, m.
Arch. Geddes.
Wm. Moffat, m.
Hew Craig, st.
Arch. Edgar, st.
Wm. Gifford.
—. Vert, E.H. ser.
—. Clark, st.
Geo. Millar, st.
Wm. Carlyll, st.
Tho. Mair, st.
Law. Selkirk, st.
Wm. Craig, st.
Wm. Richie, st.
Geo. Reid, st.
Jo. Penman, st.
Geo. Balfour.
Geo. Andrew, st.
Alexr. Brycen, st.
And. Reid, st.

(4) List of some of those that randezvouse in a malt barn in the Grassmercat, belonging to Thomsone of Queenshaugh.

Young Bruce of Kennet; Sinclair, sone to Dr. Sinclair; Young Laird of Brodie; Brodie, his brother; Thomson of Queenshaugh; Thomas Renton, merchant in Edinburgh; James Bennet, stabler there; Robert Blackwood, merchant there; Mr. James Watterston, tobacconist; John Hunter, baxter; Mr. Thomas Erskine, Earl Buchan's sone or brother; Tuedie, a brandie merchant; Thomas Mair, sone of the minister of Culross; Hepburn, son to a hill minister; William Walker, servant to ane advocat, Mr. Charles Binnie; Robert Blackwood's servant Scott, a serjand in the Castle, gave the command; with a great many more whose names I know not.

Nota.—A Castle soldier always stands centry.

(5) Paper endorsed "Private Arming."

Deacon Murdo Grant, in Murdoch's Closs, at the first door of the turnpick, at the foot of the closs; Thomas Heriot, wright, above the door of the turnpick. His shop is five or six shops above the said close; his work-house is in the north side of the street.

Arms in his custodie—English, Dutch, and Scots.

Sold English at £9 the gun.

Dutch, being Coll. Poccoak's regiments arms, at £12 per gun.

Scots gun and beyinots at £10 10s., or guns £9.

Thirty stand English to Belhaven.

Twenty Scots making carried away by his own servants.

Sixty stand to the Earles of Haddington and Hopton, of Coll. Poccoak's, and sixty stand Scots making by Mr. Forrest, overseer of Hopton's head work at Leith, his order, and my Lord Haddington's gentlemen, and taken away by them.

Forty-two stand to the paroch of Liberton.

Forty stand for the Greyfreyer's paroch, besides quhat the magistrats of Edinburgh has gott.

Poccoak's arms came from Dunkirk to Prestonpans by Haddington and Dirleton's order; receaved by Deacon Grant; payed by him by their order.

Ten stand to Baldone (?) of the English arms, to be delyvered to his order, the 2nd or 4th of March

Nota:—That the nobility mentioned gott each six stone of bulletts from the said Deacon Grant.

The said Deacon was to gett two carts laiding of arms from Leith the 23rd Februarie.

He has in his house thirty-two guns dressing, quhich belong to Deacon Monro, mounted with ash sticks and white iron keepers, being old arms.

The Englis arms are mounted with brass, and most of them have square locks and snecks; the Dutch with brass, and plain round locks, and Coll. Pollock on the barrells; the Scots are mounted plain, with white iron stocked in plain tree colared; the bayonets are narrow, and tuo edged within six inches of the point. Most of the English arms are mounted with hesps for dragoons.

THE EARL OF MAR to his brother, the LORD JUSTICE CLERK, at Edinburgh.

1714, July 26. Whitehall.—Since I wrote to you last of publick affairs things here have taken a new shape. The Treasurer is to be out either to-night or to-morrow, and the Treasury to be in comission. I have not time now to give you a full account of what the Queen said to me upon this occation, only she desired I might continue in her service, and that I should let our friends in Scotland know that notwithstanding of this change she was still on the same foot and measurs she was before. I am accordingly to write to severall of them in a post or two, particularly to Duke of Athole and Earl of Bredalbain.

I cannot but regrait my friend Lord Treasurer's going out of the Queen's service, and I wish it may not suffer by it; but it will be hard to tell for some time what may be the consequence of it. I hope tho' the Queen shall never want a number sufficient to cary on her adminstration to her own

likeing. . . . . The toun talks of a great remove amongst the Queen's servants, but I belive at this time there will not above one more than Lord Treasurer go out. A little time may produce more alterations, but I can say no more of that now.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1714, July 29. Whitehall.—Lord T[reasurer] is now out, but I cannot yet tell you who is in, which is odd enough. The Q[ueen] has desired me to continue in her service, as she has done most of my fellow servants, but e'er long there will very probablie be more changes.—There was a storie that D. A. was comeing into conserts with Lord B[olingbro]ke; true or false I know not, but if it was I am sure the Q[ueen] knew nothing of it, and as soon as she heard there was such a story, she ordred this affair of Glencairns.

The Q[ueen] has been a little indisposed all this day, and was cupt, but I hope it will be nothing, which God grant. Her being ill is not yet much talkt of here.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1714, July 30. Whitehall.—6 o'clock at night.—My Lord: I am very sorry for the reason of my writing to your Lordship at this time. Our good Queen was taken very ill this morning, upon which the Lords of the Privy Council met, and their lordships have given me directions to acquaint the Queen's servants in Scotland, as also the Provost of Edinburgh, of her Majesty's present indisposition, that they may give all necessary orders for taking care of the public peace. The physitians do not think her Majesty past hopes of recovery, but the event being uncertain, the Lords of Privy Council have judged it proper to issue out such orders as may prevent any disturbance in the kingdom, in case her Majesty should be carried off by this fit of sickness; and for that end the Duke of Ormond has sent down his commands to the troops in Scotland. I am with very great respect, my Lord, your Lordship's most obedient humble servant, MAR.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1714, July 31. Kensington.—Saturday, 8 p.m.—This pacquet carys the Councill's orders for disarmeing the non-jurors and Papists conforme to the address of the House of Lords, which was to have been done had the Queen continued well. There is an order to the Advocat and Solicitor for causeing them to be printed and disperst.

I can say little more than I did this morning as to the Queen's condition, there being no great alteration, only she grows weaker and weaker, and 'tis much if she put off this night, at least as we think.

The Councill has done everything towards securing the succession as by law esteablisht. There is a letter wrote and signed by all present of the Councill to the Elector, acquainting him of the Queen's condition and desireing him to make haste over. The Esteats of Holland are also to be acquented with it by my Lord Strafford. Thers a squadron ordred out, and yachts to attend him, and the troops from Flanders are sent for. In a word every thing that way goes smooth here. God direct the people of our country to behave themselves right, and to prevent makeing it a field of blood and confusion.

I have writen another note by this pacquet to Duke of Athole, which you wou'd take care to forward saif.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1714, August 7. Whitehall.—I hope you will get out of him (Lord Haddo) who those Tories are he said were to leave me. 'Tis ten to one but he was to lead them himself; but that game is past now, and if they know their intrest, which I confess they seldome do, they will at this time stick together, and that may save them, which nothing else can do. Tho' I say it who should not, I can make as good terms with the other side for myself as any of them, and I will not be made the fool of the play; tho' they shall not have me to complean of first. That of Jacobitisme, which they used to brand the Tories with, is now I presum out of doors, and the King has better understanding than to make himself but King of one partie, and tho' the Whigs may get the better with him at first, other folks will be in saifty, and may have their turn with him too. I know very well people have been at pains to represent me very unfavourablie to the King for some years past, but as that was all calumnie and out of partie designs, he will find in time that there was nothing in it; and one prince seldome likes a man the worse for serveing his predesessor faithfully and with zeal. For severall reasons I do not expect to continue in the post I now hold, but if I be payed of my ariers, which I have reason to hope I will, I shall not much regrait that loss. And then I must do the best I can for myself. Lord Oxford had done more like a friend by me had he left me less in arier, but I do not take it that his doing so proceeded from unkindness to me particular, and he did no otherwise by me than he did by severall others of his friends. You'll be surprized when I tel you ther's upwards of seven thousand pounds owing me. There is considerable owing to most of the late Queen's servants, but there is more owing to her out of the fonds they should have been payed with than are owing to them, so we have reason to expect the King will pay us. It was not so when King William died, he being owing more by much than was owing him, which was the reason the Queen did not pay his debts. . . . . It is impossible to tel how things will shape til the King come, but I belive it is pritty certain

that the two parties will be contending who shall be most in his favour, and it must be time only that can show who will be togither. It is thought here that there will be a new Parliament called as soon as this has settled the King's revenue, and done some other necessare things. The Whigs here are said not to be very well just now amongst themselves, but they will cover anything of that as much as they can. I wish the Tories were as unite as they are.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1714, August 10. Whitehall.—This letter to Duke of Argyll tels also of Glendaruels comeing at night to Edinburgh, and going away to the Highlands nixt morning without seeing anybody. I was askt if I had heard anything of this. I told I had had just the same account, and that my corespondant said that if it was so he thought him a fool; and so I was dismist.

I can tel you little news from this just now. There is no word yet come from the King, but expected to-night or to-morrow.

The Duke of Montrose came last night, and was swore, and toke his place amongst the Lords Justices this morning.

THE EARL OF MAR to his brother, the JUSTICE CLERK.

1714, August 16. Whitehall.—I had yours of the 10th by the flying pacquet last night at Twittinhame, where the Lords Justices had alowed me to be for some dayes. It conteand so many things only design'd for myself, that I could not send it to be laid before the Lord Justices; so I sent a letter I had from Mr. Carnagie to be laid before them, giveing an account of the letter you write of from severall nobelmen and gentelmen to the Lords Justices desireing more troops in Scotland, and likewise teling of a proclamation for proclaming the King, which came down there under the great seal. I came to toun this morning, and have wrote to the Solicitor, by the Lords Justices direction, an answer to both these points. . . . . I have wrote too by their lordships orders a letter to you of the Justiciary concerning the disorder at Glasgow in rifling the meeting-house, which was a very foolish thing, and in my oppinion it were good for the Presbiterians that that meeting there were again set up in a peacable way. I am very glade you are so well with those who have of late given themselves the air of being zelots for the Protestant succession, and I wish they may be sincear to you. You did very right about directing the flying pacquet as you did, since those wise men were of that oppinion, and thought it of consequence.

As for that you write of my not waiting on any of the Hanover ministers here since I was last in office: it is very true, but the fault was on their side, for all forigne ministers here first viset the Queen or King's immediat servants, and I was the only one of the Queen's servants who they did not viset.

This lookt so particular that I acquented the Queen with it, who absolatly discharged me to go near any of them til they inquir'd for me; which I obeyed, as was my duty. And when Mr. Harley and Lord Clarendon went to that court I informed them of the thing, and Lord Clarendon was to mention it to the Elector by the by, tho' not to make any formall complaint of it. But I suppose by the Queen's dieing so soon after he came there, he did little of what he went about or had in charge. As I wrote to you formerly, I doubt not but I have been as ill represented to the King as could be; but as I do not deserve his displeasur I am the less concerned about it, and he shall find me a faithful subject to him. I knew very well that upon partie account I shall have enemies, enew espetially amongst those of our own country who pretended to be zelots for the succession, and others thinking I had long stood in their way; but I must do the best I can for myself, and I am not quitt without friends here more than in my own country. My greatest loss is my want of the language the King understands, and I am very glade you are to be here to speak for me. As for peoples pushing at me I am not much afraid, and tho' people may be out of favour, I hope we are under a constitution where people are saif if they do nothing that the law makes criminall; and I am not contious to myself of haveing done anything to make me have a less tittle to the King's favour than others. I do not apprehend any comotions in the Hilands, and I have done all in my power to make them quiet there.

As to your continueing I take it to be pritty uncertain, but it is absolutly fitt you should be here, and I wish you may come soon (tho' not post). . . The King is to be at the Hague Saturday nixt, where we suppose he will not stay long. The Prince comes with him.

ALEXANDER ROSS, clerk substitute of the Court of Justiciary. to the JUSTICE CLERK, at London.

1714, August 24. Edinburgh.—On Fryday last a letter came from the Earl of Mar on the 16th instant, addressed to the whole Lords, acquainting them that the Lords Justices, haveing receaved information of some late dissorders committed at Glasgow in pulling down the Episcopall meeting-house there, rifleing Mr. Cokburn, the Episcopall minister, his house, and abuseing his wife and children, his Lordship was directed to signifie the pleasure of the Lords Justices that the Lords of Justiciary would examine the fact, and as they found cause show all disscountenance to such dissorderly and riotous practises. My Lords Roystoun and Polton being occasionally in town, broke open the letter, and in pursuance thereof signed and transmitted a warrant to my Lord Pollock, Sir James Hamilton, Raploch and Blythswood, or any two of them, as justices of peace in that shire, to meet at Glasgow with the first conveniency, and call befor them such persons as were

best known to the above facts, of which they are thereby directed to make a full and impartiall enquiry, and report the same to their lordships to be transmitted to the Earl of Mar, in order to be laid befor the Lords Justices; and ordered Lainshaw to attend them, of which they acquainted my Lord Mar by that post, as my Lord Ilay was by my Lord Roystoun.

THOMAS ERSKINE, younger of Pittodrie, to the LORD JUSTICE CLERK.

1714, August 25. Pittodrie.—Since my last of the 21st instant, ther has nothing happned in the North worthie your Lordship's notise; a few thifts, but no appearance of other disturbance. The Shirreff-deput told me he aquainted your Lordship he had proclamed the new King with all the form and sermonie necessarie. The Magestrats of Inverourie, Kintore, and Aberdeen asisted in ther respective brughs, and at Aberdeen Sir Peter Fraser and the Lairds of Eight made a parte of the cavelcade.

SIR WILLIAM GORDON to the JUSTICE CLERK.

1714, August 29. Fort William.—As soon as I arrived here I gave your Lordship both ane account of my dilligence and what I could learn of the state and inclinations of our neighbours. The lieutenant-generall haveing ever since in concert with me continued it to my Lord Marr, I had nothing new to add, so thought it needless to give your Lordship any trouble. The distance the several cheifs of clans have hitherto kept from us, tho' several times desyred by the lieutenant-generall to come in, in order to a better concerting of measures, as well as for more clearly evidencing the sincerity of their intentions to keep the peace, together with some information we had from severall discreet men, inferior heads of families, that if the Pretender should com in person amongst them, they were certainly resolved to join him and run his fortune, made us truly jealous of them, notwithstanding of the assurances they were giveing in general terms by their letters of their resolutions to keep the peace. However, the country is certainly as quiet as ever I knew it; and for my own pairt I begin truly now to hope that some of them are beginning to have right and just sentiments of things, as particularly Locheal, who at my desyre was pleased to meet me within two myles of this place. I found in company with him, unexpectedly, Glenderouell, from whom I had the enclosed, which he at first designed to have sent under Lieutenant-Generall Maitland's cover, bot not haveing waited on him as he passed, he choosed to charge me with it.

Addressed:—To the Right Honourable my Lord Justice Clerk, to be left att the Right Honourable the Earle of Marr's house in the Privy Garden, London.

COLIN CAMPBELL OF GLENDERUEL to the JUSTICE CLERK.

1714, September 2. Lochiel.—I mett with Glengarie and Lochieall the 1st of September. Both of them hes signed a lettir to the Earl of Mar. Sir Johne M'Lean hes also signed it. It's from the cheifs of the clans to his Lordship; all of them are to signe it as I can gett thorow them. The tutor of M'Leod is readie to signe it; he is fourscoir meils from his place, and a verry ill road, so that it will take near eight days, or I can have his subscription and return this lenth. Then there is the rest of the leading men that is to signe it, lives at such a distans that it will take me six or sevin days more. Then I go straight to Edinbruch and takes post for London, for those gentilmen proposis I should goe with their lettir to London to the Earl of Mar to lay there concerns before him. The contents of their lettir is praying his Lordship may assure the Government of there dutifull and hearty resolutions to serve his Majesty King George, and in all things to concur with his Lordship, and to follow his directions in all things wherein they can be usfull to his sacred Majesty's service. I have sent this by ane express to Edinbruch to Mr Harry Mall, writter there, with a lettir to the Earle of Mar, in which I have inclosed ane doubill of the lettir the chiefs of the clans is to send by me to his Lordship, that by it his Lordship may prevent any ill impressions that may be given of them. They have alowed me to send it, yett they disayr it should be at present known only to such as his Lordship thinks necisarie. Sir James Campbell and Sir Duncan Campbell each of them writts his Lordship a lettir in there oun name, and in the name of others of Argyllshyre, in the same tearms that the lettir from the clans is, and it is in concert with the clans. There lettirs I also carie with me to his Lordship, butt its fitt nothing be said of there lettirs butt to such as my Lord Mar thinks it absolutly necisarie to impart it to.

THE EARL OF MAR to his brother, LORD GRANGE.

1714, November 20. London.—The accounts we have had latly from Scotland make people here belive that there is a designe in Scotland of addressing against the Union, and I am told the Court begin to apprehend it a good dale, and perhaps they have some reason for so doing; for if such addresses were universall, heartie, and soon from Scotland, I am apt to belive that the Parliament might go into it. I have reason to belive most of the Tories wou'd, most of the Whigs too who are out of humour, and several others of them who were formerly against it upon account of the Protestant succession not haveing then taken place. And by the situation of affairs 'tis probable there will never be a time so likly to bring about a dissolution as now, if our country push it heartily. All sides of our peers own that if the matter of our peerage be not sett right they wou'd wish a dissolution, and I am perfectly of that oppinion. tho' I thought the Union as good a thing as ever I did. Now as to that of our Peerage being sett right, I see now little

probability of it, and I confess I almost despair of it by what I pick up in my conversation with the English. Any of us who hope to be set back in the same place or condition we were in before the determination of Duke Hamilton's affair, are deceived. I know some who were very much for us in that matter, who now that its done, own they will not be for altering it, and there are none I believe who were against us in that who are converted, and wou'd be for us now or afterwards. I belive they wou'd give some expedient to get free of our election (which they heat, and will never let us alone so long as we have it), but that expedient will never in probability be what the peers of Scotland will like, and it were a cruel unjust thing to do it without their consent, which I am sure no honest Scotsman could go into. I shall be glade to know what stirring their is in Scotland about this, and pray write by the very first post after you get this.

Give my service to my Lord Balmerino. I thought to have wrote to him to-night; I have not now time, but show you him this.

I am very glade of the account you gave me in your last of some peers; pray go on in that way with others of them, all you can.

1714.—Representation by the General Assembly of the Church of Scotland, and speech by their commissioners to the King; also address by the Presbytery of Hamilton, 1714.

Papers connected with the proclamation of King George the First at Edinburgh and London in September, 1714.

Petition by John, Earl of Mar, to the Lords of the Treasury for payment of the rent of the office used by him and now by the Duke of Montrose as Secretary for Scotland.

THE EARL OF MAR TO THE DUKE OF MONTROSE.

1715. January 17. Whitehall.—To fortify his memory in representing on the morrow to the King the hardship imposed upon the Earl in the turning out of Col. Erskine as deputy governor of Stirling Castle under himself. For some hundreds of years his family have had the keeping of the Castle, at first by their own servants, and afterwards when during the troubles King Charles the First judged it advisable to keep soldiers there, the Earl of Mar's governor always received a commission as captain of the garrison, with one exception, during the reign of King James the Seventh. but that was rectified at the Revolution. Col. Erskine has been in commission since King Charles the Second's time, and was appointed governor of the Castle in the reign of King William the Third. He trusts the King will recal the order for turning him out. If not, "it is his duty and mine to submit to the King's plasure." The Earl asks that his letter may be booked in the books of the Duke's office.

THE CHEVALIER to [the EARL OF MAR] COMMISSION.

1715, September 7. Barle Duc.—James R.—James the Eighth by the grace of God, King of Scotland, England, France and Ireland, Defender of the Faith, etc., To . . . . . (left blank). Wee, reposing especiall trust and confidence in your loyalty, courage, experience, capacity and good conduct, do by these presents constitut and appoint you to be our General and Commander-in-Chief of all our forces both by sea and land in our antient kingdom of Scotland. Whereupon you are to take upon you the said command of General and Commander-in-Chief. And the better to support you in the said authority, our will and pleasure is that you act in concert with and by the advice of our right trusty and wellbeloved cosens and councellors the Earl Marshall, Earl of Marr. . . . . (left blank). Wee likewise do empower you to grant commissions in our name to all officers both by sea and land, to place and displace the same as you shall think fit and necessary for our service; to assemble our said forces, raise the militia, issue out orders for securing of all suspected persons, and seizing of all forts and castles, and putting garisons into them; and to take up in any part of our dominions what mony, horses, arms, ammunition and provisions you shall think necessary for arming, mounting and subsisting the said forces under your command, and to give receipts for the same, which wee here promise to repay. By this our Commission wee likewise empower you to make warr upon our enemys, and upon all such as shall adhere to the present Government and usurper of our dominions; leaving entirely to your prudence and conduct to begin the necessary acts of hostility when and where you think it most advantageous and conducing to our restoration. And wee do hereby command and require all officers and soldiers, both by sea and land, and all our subjects, to acknowledge and obey you as our General and Commander-in-Chief of our army; and you to obey such further orders and directions as you shall from time to time receive from us in pursuance of the great power and trust wee have reposed in you. Given at our Court at Barle Duc the 7th day of September, 1715, and in the 14th year of our reign. By his Majesties command,

(*Signed*) THOMAS HIGGONS.

1715, October 13.—List of the army at the camp of Perth—

HORSE.

Marquis of Huntly	400
Earl Marischal	180
Perthshire	70
Sterlingshire	77
Angusshire	100
Fifeshire	90
	917

FOOT.

Marquis of Huntly	1200
Lord George Murray	230
Earl Pammure	415
Lord Ogilvie	351
Strouan	203
Innernytie	267
	2666

1715, October 24.—Instructions given by the Earl of Mar to a certain person to be communicated to the King's friends besouth Forth.

The Earl has received H—— S——'s* letter of the 19th to-day, and is sorry H—— got not his Lordships, but he hopes e're now H—— has received it. His Lordship has got the lead box.

His Lordship has sent letters twice to Mr. Forster from Fife to Newcastle, and has write once that way to Borlum and to Kenmuir. or whoever commands besouth Forth two dayes ago, and also to Borlum in a merchant stile, by one who had serv'd Earl Murray two dayes ago.

In all these letters his Lordship, being so ignorant of the situation of their affairs, it was impossible to give any positive commands, but left it to themselves to do what was thought most expedient for the servce by the advice of friends, of which H—— S—— to be the principal, either in keeping in a body for the south of Scotland, or about Edinburgh, going into England to join friends there, or to come towards Sterling to be assistant to the passage of the army on this side over Forth; that the last would be the most usefull to the King's affairs in Scotland, but the view in generall of his affairs was most to be considered, and therefore left to them to correspond and consult with their friends in the North of England, and that the Earl of Mar would be very glad soon to know what resolution they came to, to accomplish which H—— S—— is to try all means imaginable.

The Earl of Mar has endeavoured to settle a correspondence betwixt Fife and Newcastle, but has yet no letters that way.

It is impossible to move from Perth until Seafort and General Gordon join the army. They are expected in two or three dayes. Marq[uis] Seafort as he writes to the General having disperst Sutherlands people, and others disaffected in that country having submitted and given up their houses, arms, and ammunition, Seafort was to begin his march Tewsday last, and to march towards the army the nearest way through the hills.

Every day the Earl of Mar expects to hear of General Gordon's having finished the affair of Inverary and returning with the forces under him towards Perth, which was his orders to march to since the army return'd to Perth.

* The remainder obliterated, but seems like Henry Swinton.

In case Argile upon the reinforcement he gets from Ireland should think fitt to move towards Perth before Seafort and Generall Gordon come up, those at Perth have nothing to do but defend the town, the best way they can, and retire to the north side of Tay, when they can defend it no longer, in which case, the enemy being in possession of Perth, it would be almost impossible for the King's army to repass Tay again this season without the assistance of the forces in the south; so that the King's friends there upon this supposed motion of Argile's should certainly march after him by the heads of Forth to harass him, prevent all they can his returning to Stirling, and to follow such other directions as shall be sent them when they come betwixt Stirling and Perth.

The Earl of Mar in reading over the copies of his last letter to Kenmuir, has found that by mistake it was said in it that Kenmuir was a brigadier of horse, whereas it should have been Major-General.

The Earl of Mar is to send one to France to-morrow, with accounts of the King's affairs here since the last accounts were sent, and to press the King's comeing immediately if he be not come off already.

October 24.—Earl of Mar had a letter to-day from Broadalbane, telling of one he had from Generall Gordon of the 21st., giving an account of his having finish'd the affair at Inverary peaceably, and that he was about beginning his march as ordered to join the army. (*Copy.*)

THE CHEVALIER TO THE DUKE OF MAR.

1715, November 15.—If the winds had not been contrary Mr. Hayes had not found me on this side the sea, for he arrived here but last night, and I have been waiting here these eight dayes. The accounts he gave have increased the desire you know I have long had of going to you, which nothing but cross winds do now hinder, but I hope they will soon turn and that I may still soon join you. I shall go straight to the place you appointed, and from thence join your army with all possible speed. You will maybe be surprised at this resolution after the message I lately sent you that I was resolved to go to England, but affairs have not gone so well there as we hoped, as Lord John Drummond will tell you. However the D[uke] Ormond parts to-morrow to try again what he can do and with some arms wee have gott here and some few Irish troopers, I do not doubt but that he will be able to make a head and make a considerable diversion. I have not words to express to you the satisfaction I have of your sagacious and prudent conduct which God has hitherto blest with so much success, and of which I hope I shall be soon eye wittness. What you have done in relation to the Kirk ministers is most proper, and your joint resolution of never giveing over the cause cannot but have a very good effect in both kingdomes. You are best judge whether it will be proper

to call a Parliament or not before my arrival, and I leave that entirely to you; and, as I have here nobody that can draw a commission to that effect, I have signed a blank for Lord Bollingbrock to fill constituting you thereby my Commissioner in Scotland. As for the Order of the Thistle, if you think that requires any hast to determin that matter before my arrival you may do it as you find proper, but my first thought is that continueing that Order on the footing my sister put it may be the most popular. I believe my giveing you in this private letter a power of makeing knights is sufficient warrant for so doing; and in general I shall never think I can putt too much power into the hands of one who makes so good use of it. Lord Bollingbrock will lett you know the hopes we are in as to the French Court, and will negociate with them on the letter you have sent and I hope with success. You must let him know out of hand whither he may send arms to you. This is all I have time to say at present, and all that is I think necessary. I am, as you may believe, most impatient to be with you, that I may at last give my Scotch subjects essential proofs of my particular favour and protection, and you all the further marks of my most particular kindness and friendship that the best of subjects can receive or desire. JAMES R.

Your brother-in-law has acquitted himself perfectly well of your commissions. I wish he could have staid at Paris to act there, but he is too usefull for me to part with him. (*Holograph*).

THE EARL OF MAR to the CHEVALIER.

1715, November 24. From the Camp of Perth.—Sir, it was but yesterday I had accounts of your being at sea; and I thought myself oblidged to do all in my power to let you know the state of affairs in this island before you land in it, so that you may not be disappointed upon your comeing.

I had the certain accounts yesterday of those who had appeared in arms besouth Forth and in the North of England, all being made prisoners at Preston in Lancashire, which I'm afraid will putt a stop to any more risings in that countrey at this time. Your Majesteis army, which I have the honour to command, fought the enemie in the Shirreff-Muir, near Dumblain, the 13th of this moneth. Our left behaved scandalously and run away, but our right routed the enemies left and most of their body. Their right follow'd and pursued our left, which made me not adventure to prosecute and push our advantage on our right so far as otherwayes wee might have done. However wee keept the field of battle, and the enemies retired to Dumblain.

The armie had lyen without cover the night before, and wee had no provisions there, which oblidged me to march the armie back two milles that night, which was the nearest place where I could get any quarters. Next day I found the armie reduced to a small number, more by the Highlanders going home than

by any loss wee sustained, which was but very small; so that and want of provisions oblidged me yet to retire, first to Auchterarder and then here to Perth. I have been doing all I can ever since to get the armie together again, and I hope considerable numbers may come in a little time; but now that our friends in England are defeated there will be the troops sent down from thence to reinforce the Duke of Argyle, which will make him so strong that we shall not be afraid to face him, and I am afraid wee shall have much difficultie in makeing a stand anywhere, save in the Highlands, where wee will not be able to subsist. This, Sir, is a melancholy account, but what in duty I was obliged to let you know if possibly I can before you land; and for that end I have endeavour'd to send boats out about those places where I judged it most probable you would come. Ther's another copie of this upon the west coast, and I wish to God one or other of them may find you if your Majesty be upon the coast. By the strength you have with you your Majesty will be best able to judge if you will be in a condition when join'd with us to make a stand against the enemie. I cannot say what our numbers will be against that time, or where wee shall be, for that will in a great measure depend on the enemie, and the motions they make; but unless your Majestie have troops with you, which I'm afraid you have not, I see not how wee can oppose them even for this winter when they have got the Dutch troops to England, and will power in more troops from thence upon us every way.

Your Majestie's presence would certainly give new life to your friends, and make them do all in their power for your service, but how farr they would be able to resist such a form'd body of regular troops as will be against them I must leave your Majestie to judge.

I have sent accounts from time to time to Lord Bolingbroke, but I have not heard once from any of your Majesties servants since Mr Ogilvie of Boin came to Scotland, nor none of the five messengers I sent to France are returned, which has been an infinite loss to us. I sent another, which is the sixth to France, some dayes ago, with the account of our victory, who, I suppose is sail'd e'er now.

May all happiness attend your Majestie, and grant you may be safe whatever become of us. If it do not please God to bless your kingdoms at this time with your being settled on your throne, I make no doubt of its doing at another time, and I hope there shall never be wanting of your own subjects to assert your cause, and may they have better fortune than wee are like to have. I ask but of heaven that I may have the happiness to see your Majestie before I die, provided your person be safe, and I shall not repine at all that fortune has or can do to me. Your Majestie may find many more capable but never a more faithful servant than him who is, with all duty and esteem, sir, your Majesties most dutiful, most faithful, and most [. . .] subject and servant, MAR. (*Copy.*)

THE DUKE OF MAR to the CHEVALIER ST. GEORGE.

1715, December 9, Perth.—Sir, I was honour'd with a letter from your Majestie of the 15th of November, some dayes ago, which Lord Bolingbroke sent me by a gentleman (Mr Forbes) I had sent with despatches to him. Generall Ecclin and Mr Fleeming, came with him to Montrose, and will be here to-day or to-morrow, and bring the money along with them which Generall Ecclin had the charge of. Lord Edward Drummond and Doctor Abercrombie arriv'd here since Forbes and brought with them some more money and duplicates of the letters which came by the other, and a packet to your Majesty from the Queen.

I am overjoyed at the accounts Lord Bolingbroke gives me of the happie turn thats like to be in affairs abroad in your Majesties favours, and it gives me a very different view of things from what I had when I wrote to your Majestie the 24th of last month, and I believe will be delivered you with this. Wee are all here in the utmost anxiety and pain till we know of your Majesties safe arrival. I have done what was in my power in the situation wee are in to make it safe, and I wish it had been in my power to do more. I hope in God Providence will protect you, and bring you safe to your longing people.

I have heard nothing yet of the Duke of Ormond's being in England, and I wish it may be well with him. The Dutch troops are on their march for Scotland, and some few of them are already come by sea; those by land cannot be at Stirling these three weeks. Generall Cadogan is come down, which I hear Duke Argyll does not take well. As soon as your Majesty arrives I make no doubt of your haveing very soon an army together of 10,000 men. The season of the year is bad; but that's bad for the enemy too. By the accounts my Lord Bolingbroke gives me I hope there will quickly be troops sent here to your Majesty, and I have wrote to him the safest places for sending them to both upon the east and west coast. If the Duke of Ormond be not in England to make a diversion the enimie will send most of their troops here; but that will give them a fine opportunity there to appear for your Majesty if they have any spirit left. Should your Majesties armie in Scotland not be able to fight the enemie it will be in your power to keep them from fighting you, and were your Majestie once arrived I have very good hopes of a good part of their army coming over to you.

Perhaps your Majesty will hear on your arrival that wee Lad made an offer to capitulate; it is too long to tell you the story here, but I beg your Majestie may not be alarmed at it, for I hope the danger of that is over, and that you shall not want people to stand by you to the last drop of their blood.

Your Majesty has done me more honour than I deserve. The new dignity you have been pleased to confer on me is what I was not looking for; and comeing from your Majesties hands is what gives it the value. The patent is not yet come, but tho it had I think I ought not to make use of it till your Majesties arrival, since I hope it is so near.

All prosperity attend your Majesty, and may I have the happiness soon to throw myself at your feet, which is the thing in the world I have long'd most for.

Allow me to say that I am with all veneration, sir, your Majesties most obedient, most faithfull, most humble, and most dutiful subject and servant, MAR. (*Copy.*)

1716, February 14th, Edinburgh.—Lord Grange, to Mr Chalmers, minister at Kilwinning, deploring the rebellion and the woeful effects it is likely to bring upon his family and the country. He affirms that King George only has a good title to be King of these realms. In a postscript, he adds: We have heard of the Pretender's returning to France, some of his adherents with him, and almost all the rest dispersed.

1717.—A volume of the MS. Diary of Lord Grange, from 13th October 1717, to 5th November, 1718. relating chiefly his religious experiences. It is marked as "Memmoirs VII."

1718.—Some accounts of dues in Chancery, 1718-1725.

1719, June 2.—Curious computation of damages for the spoliation of a cow, given in by Mr William Abercromby, who was Episcopal minister of the parish of . . before the Revolution, against John Kennedy of Kilhenzie, whose father, it was alleged, took away the said minister's cow in the spring of 1689. In his action before the Court of Session he claims not only the original cow, but the value of four calves which she would have borne, and the four calves of each of these four calves, which by 1705 it was computed would amount to 80, and in the thirteen years since then to a vast number. Besides this, he claims the value of their milk, butter and cheese.

THE CHEVALIER to the DUCHESS OF MAR.

1719, September 9, Montefiascony.—The Duke of Mar's late misfortunes and my own uncertain situation for some months past has occasioned my being much in the dark as to his present circumstances, which touch me too nearly not to desire you will inform me particularly of them. The last letter I had from him was in the beginning of May from Genua, in which he mentioned to me his ill state of health, and something of your comeing to meet him at the Bourbon waters; but the season for them now advanceing, or rather passeing, I reckon that whether he hath gone thither or not he will soon be here on the receipt of the note I sent t'other day for him; and by consequence that what measures he may have taken with you about your meeting him will be altered on sight of that. I thought it necessary to inform you of these particulars to prevent any thoughts you might have of a journey so expensive and now useless. For as to his liberty I make no doubt but that it will immediately follow the certainty of my return

to this country. I should think it not prudent to write any politicks to him now, not knowing what fate my letters might meet with; but their is no secret in your sayeing all thats kind from me to him, and you cannot exaggerate as to my impatience to see him, after all our mutual misfortunes and adventures, and I am sure he will be glad to know and see me more happy in a wife than I can be otherwayes in most other respects.

I hope soon to have the satisfaction of seeing you at Rome, when I believe I shall soon convince you that if you and your lord have in the world many false friends, I am and shall ever be a true one to you both. JAMES R. (*Holograph*).

THE CHEVALIER to the DUCHESS OF MAR.

1719, September 26, Montefiascony.—I received two dayes ago yours of the 22, with one from the Duke of Mar, to which I here send you my answer. I have not received any letter from him later than the month of May, as I inform him; for that of the third of July, it must be gone to Spain, and could not but miss me, and so will, I suppose, be returned to me. The Queen makes you her kind compliments. Wee are, thank God, both well, and very impatient to be at Rome. I desire not less to have your lord with me again, and in the meantime shall be ever most desirous to do what depends on me for your comfort and satisfaction. JAMES R. *Holograph*).

THE CHEVALIER to the DUCHESS OF MAR.

1719, October 5, Montefiascone.—I had not time by last post to answer the packet you sent me from the D[uke] of Mar with Brigadeer Campbell's paper inclos'd in yours of the 30th. You have here inclos'd my packet, which is very bulky, but it will not I hope go less safe for that. My impatience to see your lord again makes me very uneasy at all the delays that he meets with in relation to his liberty, and should be sorry he sent for you in this season, for that cannot be but on a certainty of his not obtaining it so soon; but if that should happen before I return to Rome I hope you will take this place in your road, and not grudge a few nights ill lodging to give us the satisfaction of your company for a few days, and in that case I shall speak to you here of those papers of mine you have in your hands. The Queen makes you her kind compliments, and desires you'l send her a copy of the note she writt to you soon after she came to Rome. There has been pains enough taken from Rome within those few days to do you ill offices with me, but I can assure you with truth they have made no impression upon me, nor will they produce any other effect than to make me, if possible, kinder to you. But when I see you I shall say more on this head, for 'tis fit you should know your false from your true friends, [and there is added in the Chevalier's own hand] and among the last you shall ever find me. JAMES R.

1719, October 9, Montifiascony.—The Chevalier, without address .—James R.—'Tis my intention that such boxes of my papers as are now in the Duchesse of Mars custody should be first sealed by her and then deliver'd with their keyes to Sir William Ellis. J.R.

Mr. Gabriel Wilson, minister at Maxton, to Lord Grange.

1720, February 1, Maxton.—My Lord, I blush extremely that I'm so late in returning you my hearty thanks for the great favour you did me in sending me your own copy of Mr Haliburton's paper; but I, not having the convenience of writing immediately after the receipt of your Lordship's letter, and thinking to have got a copy taken soon after, delayed till I should have returned the paper with the acknowledgment of it; which yet by reason of several providential diversions, I got not done till very lately, and therefore I beg your Lordship may pardon this new incivility.

There are indeed many good things in it that may be of use in treating of that question, but there's work enough left for your Lordship notwithstanding. To handle that matter as it deserves and so as to make it useful will no doubt require both time and pains; and your Lordships tho't anent the subjects one must be een in in order to a solid and judicious discussing of it is most just. And particularly 'tis evident that unless one be skilled in law as well as in divinity he's not qualified for that undertaking. And, my Lord, tho' the weight of publick bussiness will not allow you much time at once for such an affair, yet I hope you may find time for it. I need not tell you that bitts of time, if catcht and improven, will do much good. I perfectly agree with your Lordship anent the right hand rocks one is in danger of in espousing the cause of neglected and out of fashion truths or dutys, and certainly the danger is very great, even greatest by far on that side; for the old man is expert in hellish chemistry, extracting food and refreshment often even out of these very things that are most deadly unto him, and much more easily may he serve himself of such cases as these. And therefore one has great need to be aware of entertaining himself with his being singular in a good thing, and of valuing himself on that account, as well as of neglecting it lest he lie or be construed one who affects to be so.

I have not nor have I ever read *Crofton*, tho' I know he's much commended; but I don't mind to have heard that he touches the question anent posterity. If your Lordship does not fall upon his easily in town I shall see to find him in this country. I have sent you *England and Scotland's Covenant with their God* as a curiosity or rarity only, for I never met with nor heard of another copy of it; from which, by the bye, one may learn that England's going into the Solemn League was no such sudden political expedient as is commonly believed. You have, I doubt not, *Historia Motuum in Scotia*, being the history of the renewing of the National Covenant, and of the Assembly at Glasgow, and what followed thereon,

in the years '38 and '39. There's in that history a passage of the then heir of the family of Mar, which, if it does not endear that interest to all of that family, ought at least to make them consider well how they decline from it. The passage was most remarkable both in it's circumstances and the influence it had; tho King Charles's large Declaration (which the foresaid book was written for an antidote unto) passes an invidious reflection on it. My Lord, when one considers what an honourable part the nobility and gentry of Scotland have often acted with reference to these Covenants he cannot without regret think how they, as if they thought it not enough to have deserted that interest themselves, have been of a long time either drawing or driving men off that bottom; but if they find their real interest and honour in so doing, that word, Them that honour me, I will honour, but they who despise me, etc., must fail. Whatever others must think I have no doubt of it all that's built on the ruines of these covenants shall prove a Babel building.

If I can fall upon anything of the lives of Christians which your Lordship has not seen I shall be sure to procure it for you. *The Private Christian's Witness*, etc., with the *Testimony of the Spirit*, by the same author, I doubt not you have. I have sent the account of the Lady Elcho's death, which is but lame and incorrect, and perhaps your Lordship will know the story better than 'tis told there. I'm glad of the prospect you have of coming at some of Mr Hogs diarys and sermons; for if they were once in your Lordship's hands, I'l expect to get some time a sight of them. What you suggest anent the Confessions if transcribed their falling into wrong hands is indeed weighty with me; and therefore I leave that matter entirely to your Lordship's prudence. I came to have waited on your Lordship that one day I was in town on occasion of the Lady Doun's burial, but I missed you. This, with my humble duty and best wishes, from, my Lord, your most humble servant in the Lord, GAB. WILSON.

OLD MR VEITCH, at Dumfries, to LORD GRANGE.

1720, May.—All thats done about Mr Patoun and Lin is bot cheat and trick, as my son Somervel will shew you. Help him to the measures I have directed.

Farewell all honest Church judicatories until a winter form which is comeing awaken and purge us. Its like to be the worst that ever our Church had. O that her following day may be prosperous, clear, and long.

CLEMENTINA, Wife of the Chevalier St. George, to [the DUCHESS OF MAR.]

[1720] September 23, Montefiasconi.—Je vien de recevoire votre chere letre par Monsieur Clepen, et vous suis bien oblige de l'attention que vous avé eu de menvoyer du tée lequele ne sauroit quetre bon venant de vous. Vous me marquez avoire

de la peine a ecrire le fransoi, mai votre esprit vous laprendera bientot. Le Roy ma charge de vous faire se compliment, et soyez aussy persuadez de lestime que jauray toujour pour votre merite. CLEMENTINE R.

Jambrase de tous mon cœure la charmant petite. Jespere dan peu de le pouvoire faire personnelement, et a vous de meme nous nous porton tré bien laire dicy et fore bonne.

1720.—Bundle of letters from Mr Duncan Forbes to Lord Grange, during this year, chiefly on judicial business and the affairs of the Scottish judges. Letters from the Earl of Kinnoull and Major Clelland anent South Sea speculation.

CLEMENTINA, Wife of the Chevalier St. George, to [the DUCHESS OF MAR.]

1721, March 9, Rome.—Cest avec un sensible plaisir que jay appris par votre chere letre du 3 de Fevrié votre retoure d'Angletere. Je vous suis bien obligé pour la part que vous avé prise a mon heureux accouchement. Je vous prie de remersier de ma part le Duc de Mar de celle quile y a prise et soyez persuadé lun et lautre que je tacheray de vous prouver dans toutes les occassions qui se presenteront ma parfaite estime et mon amitié sincere laquelle vous et acquise comme vous les merité si justement de moy, CLEMENTINE R.

P.S.—Jembrase de tout mon cœure laimable Lady Fanie. Mon fils se porte, grasea Dieus for bien moy et de meme.

MR JOHN WYLIE, minister of Clackmannan, to LORD GRANGE.

1721, May 8, Clackmannan.—I have been often refreshed by the accounts I have had from time to time of your Lordship's zealous and solid reasonings in our Assemblies and Commissions for the doctrine and discipline of our Church. Your asserting that no heritor had any right to vote in calling a minister as an heritor, but only as a member of the congregation, according to the Lord's Word, was solid and joyfull to me; for the Apostles themselves, tho extraordinary, even officers, would not take upon them the chuseing of two men out of which one was immediatly by God to be constitute in Judas place, nor would they chuse so much as a deacon (the lowest officer), but referred both to the people, Act: 1, 15, etc., Act 6. 2, 3, which two texts, to me, give to the people a divine right of chuseing their own officers in the House of God. I beseech your Lordship to go on as ye have don in strengthening the hands of the zealous orthodox ministers in opposing noveltie in doctrine and discipline, which has been endeavouring very much to set up its head by some new schemers for errours in both. It seems to me disgraceful to this Church that there has been overtures published in her name that would give a negative vote to a minister in a session, and would set up a collegiat session with

power to impose laws and censures on the particular sessions, which is a new kind of judicature never heard of in the Church betwixt particular sessions and the presbytrie their immediat superiour judicatorie. That particular sessions, both in burgh and landward may meet for counsell and advice, why not? But where is there any necessity of their meeting for jurisdiction so long as presbytries, etc., stand? Collegiat sessions should not be so much as named in our discipline, and therefore wherever mention is made of them in the overtures it should be scrapt out for knocking down the pride of factious men. As for deacons, our 2d. Book of Discipline, chapter 8, sets down their office and duties which they are to do at the appointment of the presbytries or eldership, of which it does not allow them to be members. Where then is the power to vote anent the money matters for the poor more than for ministers stipends, both which they were then to collect and distribute? See Catherwood's History on *anno* 1581, page (*mihi*) 109. Where is that Scripture that gives the least semblance for their vote? I hate all novelties without Scripture, reason and necessity. If we give way to one of that sort it may draw moe after it. As for us here away our elders gather the collections to the treasurer, who is an elder, and he, at the direction of the session or minister, with approbation of the session, destributes it. The Lord bless your lordship, your lady, and children, with all blessings, spiritual and temporal, and spare you to be a blessing and comfort to your familie (and as ye have been to the Church).

Duke of Argyll and Greenwich to Lord Grange.

1721, May 25th.—Mr dear Lord, I could not have imagined that the proceedings on the Peerage Bill would have been so much as attempted to have been made use of, much less that they should have been so with any degree of success in favour of the Squadrone interest by those who professed a dislike to that bill; but since miracles are not ceased, pardon my troubling you with a few words on that subject.

I cannot but be a little surprized that anybody should on that pretence take part with the Squadron against me, especially in a matter where I cannot be so much as suspected to act out of any view to private interest. The part that they and I had in that affair is so well known here that I am astonished how it should be misunderstood in Scotland, except by such persons who have other reasons for what they doe than those they think fit to express. There is not a mortall about Court so ignorant as not to know that a project was formed for that bill, and determined to be put in execution long before I returned to his Majesties service, and consequently could be acquainted with it. If after I was consulted my prevailling to augment the number greatly and to change several persons, who I took to be disagreeable to their country for such as have the generall esteem of it, be faulty, they may be indeed justly imputed to me. If my not only proposing but begging with the greatest

earnestness that the peers might be assembled and consulted in so great a question before it was brought into Parliament was wrong, I confess I did it. If the endeavouring to obtain considerable equivalents for the peers who should chance to be excluded by the bill was a crime, I plead guilty. If my being concluded to be for the bill from a conviction that the Court would allways be able to chuse whome they pleased, which I think cannot be denyed but to have been hitherto the case, was a bad reason, I very freely own myself to have been in the wrong, and I heartily wish that this present election and the concert for the general one may prove me to have been so. Thus much for my part. Now, pray, my Lord, is there anything in the Squadron acted in this matter, supposing the beeing for the Peerage Bill to be a fault, to recommend them to the opposers of it? If beeing the first movers and afterwards the drivers of it was well, the merit is undoubtedly theirs. If the beeing satisfied with a much smaller number than the Court afterwards consented to was praiseworthy, they deserve applause. If the making up that small number with their own creatures in exclusion to all the best familys of the kingdom was just, they acted honestly. If representing the peers of Scotland as the last of men both in publick and private, such as were unworthy to be consulted or car'd for, deserves the favour of those very peers, the Squadron may justly claim it. If the turning out my Lord Dundonald only for signing the petition against the bill demands the assistance of his friends, they ought to have it. If the opposing me in the scheme I projected for satisfying the peers to be left out be a call on those lords to support them, in God's name let them have their aid. Give me leave to end what I have said on this subject with one question—What party have I to take in relation to the Peerage Bill or other matters, if notwithstanding the usage the peers of Scotland have met with from the Squadron, they are still determined to elect humbly by their direction? I am, my dear Lord, your most faithfull humble servant, ARGYLL and GREENWICH.

MEMORANDUM CONCERNING THE PUBLIC RECORDS.

1723, December 27.—They are at present lodged in a very inconvenient place, both for the records themselves, and for them that have occasion to consult them. The place is low, without air or proper lights, adjacent to a burial place on the north and heap of rubbish on the south, being two stories below the Parliament yard, which of old was the only burial place within the burgh, from which very noisome steams are most perceptible in the Record Office, and has had such effect that several papers and books, both in parchment and paper, are mouldered and decaying. Nor is there sufficient room. The two rooms are so crowded and so high, being at least 20 feet, that there is no access to them, but by a long, dangerous ladder. Besides, many of the old and valuable records are in barrels

which cannot be put in order for want of convenience. The place is also so damp and smothering that nobody can easily inspect the records.

The town of Edinburgh, being ordered by a recent Act of Parliament to build a suitable repository for these records, the suggestion is made that Heriots' Hospital might be utilised for the purpose, as only half of the building is at present used for the purposes of its endowment.

1723.—Letters from Mr. Duncan Forbes as to the refusal of the Lords of Session to admit Mr. Patrick Haldane as one of their number, though he has been named by the King, with representation by the Judges to the King, and letter from Lord Grange to Mr. Forbes.

MR. ANDREW DARLING, minister at Kinnoul, to LORD GRANGE.

1724, February 3. Kinnoul.—My Lord, I had yours of the date January 7. All the return I make about private concerns shall be in a postscript.

As to the weary Oath of Abjuration, of which your Lordship is pleased to acquaint me quhat is doing in obedience to the late Act of Parliament, it is not possible for me to pass that matter without in the first place thankfullness in my being kept from it hitherto. Still somequhat in it casts up to me that makes me bogle at it. Quhen I apprehend it taken, my mind recoils, and it will not digest. The Lord's care of me in the midst of difficulties, and some of these none of the least, yea, even bettering my outward circumstances, have been confirming to me. I ventured my litle all and my all has been restored, with the heap on the head, and why should I not trust him at all times and learn to live by faith. I am more comforted in my refusal than I can promise to be in a compliance, tho yet I know much can be said on the opposite side, and because I see so much may be said, I purpose to behave myself quietlie towards such as differ from me. But further, I cannot pass this great affair without wondering a litle quhat may be in the womb of this strange providence. These generally I conceave who are pointed at to be exposed by their refusal, on quhom the Government has the worst eye, these I suspect are to take it. I will not expose my familie to ruin. That is their cant. Yet that will not alter their way of speaking of nor behaviour towards K[ing] G[eorge]. These men could sing *Te Deum*, etc., for his ruine and his family. Oaths bind not them. Our multiplying oaths, our needless repeating them, is like to worm out the sense of God from among us. Quhat a just outcry was in K[ing] Ch[arles] and K[ing] J[ames] I. reigns against publick oaths, and we are like to follow their footsteps in that quherin we condemned them. Whom did these late oaths bind? The nation shooke them off as a burden they could not bear. I am

jealous as opportunity offers so shall the people of our day doe, and sing a requiem to themselves that the Government forc't them. How many are cursing their God and their K[ing], yet looking upwards. Our cup will be full it seems ere long. If once the Lord's wrath begin to burn, blest shall they be who are stayed on him. I wish the K[ing] had better advisers about him. . . . It verie much refreshes me to find any, especially of your high station, that often live at the greatest distance from God, fill'd with just and clear apprehensions of true religion, and tthe decayed and languishing state thereof in this dead and withered time. And thoe I dare not say the Lord has given me quit so distinct, so clear and full a view of the state of our affairs as your letter shews you to have got, yet I think discoveries of these matters have not been withheld from me altogether; and yet how little of God and Christ do I know. The paths of the Lord have been made plain to me in some measure before almost from my youth up, yet I need to be lead in a plain path. The further I travel in the wayes of heavenly wisdom I think I am still less acquainted with these. There is something in your excellent animadversions anent the government and discipline of the Church that pleases me well, that one cannot have just notions thereof except where the life and power of godliness is practically understood. I take it to be in this as in the other principles and concerns of religion, that if a man does the will of the Heavenly Father, he shall know the gospel doctrine; and thus a man may understand religion in its several branches from his own heart, more than from the volumes of the writings of others. And if he be a practical Christian, he shall learn Christ and the power of his resurrection to better purpose from Christ revealed in him than revealed before him in the Word, quhen that revelation stands alone, without the other. But who knows quhat that is—It pleased God to reveal His Son in me.

As I can remember the times of refreshing that fell out about our happy Revolution, I did then with joy behold the messengers of the Gospell who had been so long in the hot firie furnace of persecution—the witnesses standing again on our Mount Sion, with the Lamb, and come out of great tribulation—I beheld them with pleasure and wonder. At first I could not understand why, quhat was the matter, that these men came to be more valued than others that had served themselves of the pulpits before; but in a short time something Christlike among these appeared, the power of God was in their sermons, and the power of His grace was in their lives, that added a lustre to them and made them indeed men of God. They shewed in the whole of their way that the principles they had espoused were the truths of God they loved and believed. Let me not be mistaken if I say quhat a vain thing is government and discipline, quhen a man has not learned to govern himself and to discipline himself. He affects to rule others, yet cannot rule his own spirit. He is for parity, but playes the prelat. He must sitt at the helm, els if he be not ever there he reckons the ship is lost. Government and discipline are a

matter of practice, and not mere motion and principle. But then again, How shall a man live and practice if he have not life and spirit within his heart? He is dead himself, and the spirit of life is in the hand of another. I cannot away with many that tell me it is his principle that all ministers have equal power, yet lets as few as he can share of it. And how is it to be accounted for that so much real prelacy is to be found among us, and methods brought in practise of the Church that turns all the great concerns of religion among us to the hands of a few; nor will I term them the best either. If they were so they would account others equally the ministers of Christ with themselves, and wod not shuffle them thence where their Lord had plac'd them. It is for want of the Spirit of the Lord and the gracious influences of the Spirit that men in their Church managements follow the conduct of their own spirits that still dictate the advancing self. Nothing but Christ in us can advance Christ without us in the world. Where He is not in men, men will seek themselves and not Him, and take false measures and the most corrupted means to serve Him. And why so? Because self-ease, glory, vanity and ambition are reacht by these. Hence religion lies neglected wholly or is at best but taken up in masquerad, and changes colours as the times doe or as the humors of princes or great men dictate to them. My Lord, an observe just now turns up to me, that since our Reformation, Presbyterians in their publick conduct never were so much nor so long in the interest or rather inclination of the Court of Brittain as they have been since the late happy Revolution. They have studied to please and jump in with the inclinations of great men, yet at this day I know not if ever they had fewer of quality real friends in their heart to the interest of real religion, and men, truely Whigs, and had it at heart to serve and advance the concerns of religion that is a-dying among us this day, and if it were not of a Divine original wod infallibly expire. But the Lord has founded Sion. Christ is the chief corner stone, and the blessed building shall stand.

Your Lordship has well noticed that our dangers and partial deliverances has rather contributed to deaden us than reform us, and I cannot but call to mind the text I was led to to preach upon after the Lord by Argile had scattered our enemies, viz., Lev. 26: If ye will not be reform'd by these things, I will punish you yet seven times more for your iniquities. When one reflects on the great terror took hold on His people in this Church when the enemie rose up against us to slay us, who then could have thought but if he were to live and see the goodness of the Lord in the land of the living, our Israel was then to be holiness to the Lord. Instead of that enemies have not taken with their rebukes. The Lord's hand has been lifted up, and they wod not see it. These are gnawing their tongues with pain, and repent not of the evil they have done, and such as are friends, the best of them are fallen asleep, and truely slumbering; and most of them are falling off in their practise from all religion and become haters of strictness and strict

ministers and professors. The unhappy and fatal issues of our dangers and deliverances cannot soon be told, and are as weather-gall, the presages of a sore and sudden storm. I am sorry that you can so justly reflect on the faintings and perplexities in the minds of many. I do not wonder that it is so quhen I see the darkness of our steps we are to walk in, the thick clouds that are a pavillion to the Lord God in our day. His way is hid from us. It is night with us, and then is it that men fear and cannot find their faith. If that great king could say with amazement, Yea also and God is departed from me, and if that brought him to his witts end, how much more may it bring the daughter of Sion to mourn and sit in darkness with her hands on her loins. If men lose their guide, if he goe out of sight, if the paths be unbeaten that men goe in, as they are very much since our renting Union that pleas'd few but such as made it, and scarce themselves by this time aday, it is no wonder nor strange thing to see the traveller distressed, and not knowing what hand to turn to. I acknowledge it to be good divinitie that men are not to wait on the Lord without working. They that wait on the Lord run and do not wearie, and walk and do not faint, if they wait aright. If they commit their cause to the Lord, they must do it in well doing. Yet still how hard is it to wait and work when we walk in darkness and can see no light, when those who should work with us work against us, and will not work as all they that waited for the Lord, the blessed company have done before us, who through faith and patience have inherited the promises. I am still perswaded that notwithstanding of all our failings and follies we have a goodly number of honest ministers in Scotland, and others of a more private station that wod fain appear for the cause of God, but that they are at a stand when they look over the Tweed, when they look to the Court of England and the Church of England and their influence on us, when they behold our once noble nobilitie, not off from us generally, but from the Lord; and when they see the animosities of late risen among us and the universal depravation that is to be seen in the land, and the glory of the Lord at the threshold of the temple; is it any wonder that even good men sit still and are at rest? Yet shall I not excuse our inactivity. But I am perswaded when that rubbish is to be roll'd out of our way, and the Lord's house restored to its ancient glory, all that shall be done. By my spirit, said the Lord; as in Zecharia's time is to be his method now.

My Lord, I shall not say but the common controversies that have troubled this Church have been studied among us. Our ministers do not want a good measure of learning, as much, if not more, than generally in former times. But I observe save that of the government of the Church a great many wrestlings of this Church with her enemies since the Reformation have been litle enquired after. Hence it is that others whose time and thoughts have been more spent this way and that desire to carry on the testimony for God from time to time become men wondred at. As for my pairt, to conclude now, lest I be

by this time tedious, I despair of ever seeing matters mend, till the Lord suddenly come into his temple, till He sit there as a refiner, and purifie the sons of Levi. Lord, come quickly.

1724.—Copy in MS. of Memoirs of Mr. Ker of Kersland, Letters from Mr. Isaac Watts, minister of the Gospel at London, to Lord Grange, dated 23rd September, 1724, and 14th January, 1725, with copy reply by Lord Grange, dated 17th February, 1725.

Letters and papers by Lord Grange to Viscount Townshend, Secretary of State, regarding the condition of the Highlands and their inhabitants, describing their condition socially and politically, and suggesting remedies for the same, 1724-1725: with further disquisitions upon the same subject and also relative to the Borders, 1746-1751.

CLEMENTINA, Wife of the Chevalier St. George, to the DUCHESS OF MAR.

1725, January 16. Rome.—Ma cousine, je vous rends mes plus sinceres remerciemens pour les souhaits et les complimens que vous me faites dans votre lettre du 25 December. Je puis vous assurer que j'y responds comme je dois et comme vous meritez de moy, aiant pour vous et votre fille, Lady Fanny, toute la consideration possible, et vous souhaitant à l'une et a l'autre toute sorte de bonheur. Sur ce je prie Dieu qu'il vous ait, ma cousine, en sa sainte et digne garde. A Rome le 16e Janvier, 1725. Votre affectionée cousine, CLEMENTINE R.

MR EBENEZER ERSKINE, Minister at Portmoak, to LORD GRANGE.

1725, February 3.—My Lord, I send you here inclosed a piece of very great antiquity which my brother and I discovered within the fourthnight at the Chapel of Scotland Well, in my parish, where we interr'd my mother. As we take it, it is 725 years old. The characters are as exactly copied from the monument as I could. Through great difficultie we read the greatest part, and leave it to your Lordship and other antiquaries to try your skill upon the rest. The words we have read are:—HIC : JACET : HONORABILIS : VIR : FRIAR : MICHAEL : ARNOT : MINISTER . . . OLI : QUI : OBIIT : XVI. : DIE : MENSIS : MAI : M : ANO DOMII. Tradition informs us that the second brother of the family of Arnot was allways minister of the place, having the rents of the lands of Scotland Well for his stipend. (A sketch of the stone accompanied the letter).

1730, March 2, Edinburgh.—Affidavit by Simon, Lord Fraser of Lovat, Captain of a Highland Independent Company, and one of the Justices of Peace for the Northern Counties, etc., affirming before Patrick Lindsay, Esquire,

Lord Provost of Edinburgh, "upon honour, that he knew some of the people called Deans that lived under one of his vassals, called Mr. Fraser, of Daltulich, and had often got from the best in that country the character of these people called Deans to be the most wicked, mad, drunkensome and quarrellsome persons in that country, for which some of them were punished, and others forced to flie their country to evit the punishment which their crimes deserved according to law. The wicked, unhappy fellow that died at Leeds of the wounds he received from Mr. Erskine was one of those Deans, born within four miles of Inverness, and son to the wicked fellow, Dean, the fidler and ale house keeper, who lived under the said Mr. Fraser of Daltulich. (Signed) LOVAT; *Affirmavit ut supra coram* P. Lindsay, Provost, J.P."

WILLIAM PULTENEY, afterwards EARL OF BATH, to LORD GRANGE.

1733, December 17, London.—It is certainly of the greatest importance to have a safe and free communication between London and Edinburgh, and I fancy, very easyly fixed. I have thought of two methods, either of which will do. The one is to make a common purse among a few of us, and place the money in a proper hand to defray the charge of expresses, and any other expences that may be necessary for the purpose. The other method is to see what houses there are belonging to our friends on or near the northern road, and so convey any pacquets from one to tother till they arrive at Newcastle, from whence our friends in Scotland must contrive to get them. But this will be time enough to settle when your Lordships are all in town, and you may take the one or the other of these methods as you like best. . . . This nation never was in a more extraordinary situation. The ministers themselves are, I believe, even at this time as undetermined what part to take as they are fearful of taking any. They have not credit or interest enough in their own country to venture engaging it in a war, and they have not reputation enough abroad to pretend to act the part of mediators. They want mightily to know what are the sentiments of their opposers, and for this reason, as well as from the difficulty of saying what is right to be done everybody is mute and observes strict silence. The general opinion is that no demand on Parliament will at first be made for any augmentation of our land forces, nor for taking any foreign troops into our service, but only an encrease of seamen will be asked to enable his Majesty to fit out a considerable squadron of men of warr, and then a vote of credit will be desired to enable his Majesty to make good any engagements he may lye under, and to act in all things as conjunctures may make it necessary. As for the fitting out a fleet we are in excellent circumstances for the doing of it, with two millions of debt on the head of the navy, every farthing of it contracted by the present minister; so that we must go for everything to market at twenty per cent. discount. As for the vote of credit, I imagine if it be opposed as it ought to be it will be carryed

(if it is carryed) with great difficulty, especially at this time, when we are so near a new Parliament; for it is no ill-grounded suspicion to imagine that they will want a spill out of it to corrupt the people to obtain a Parliament to their liking. Besides, it would have a strange appearance to give money blindfold for the support of measures which have already brought us into such unhappy circumstances, and trust the application of it to the same dirty hands and blundering heads that have brought all our misfortunes upon us. The Prince of Orange mends, but so slowly that many are apprehensive of a consumption, and should he have any relapse he is so very weak that he could not possibly get over it. I am afraid he has not met with the honours he expected, or the usage he was entitled to; all that was reserved till the marriage ceremony was over, which now is to be performed privately whenever it is performed; and which no one can guess when it will be.

Mr. Ebenezer Erskine to Lord Grange.

1733-4, February 19th, Stirling.—With respect to the affairs of our young Presbyterie, we had a great many people from severall corners of the land attending us whom we conversed with extrajudicially. They made their moan to us, and complained of their hardships they were laid under through violent intrusions carried on by the judicatories of the Established Church, craveing help and supply and advice. We set them all off well satisfied by telling them in general that we were but yet in embrio, the grounds we resolved to stand upon were not yet come abroad to the world, and untill they had access to read and consider these they could not apply to us with faith and in judgement, neither did we judge it proper to fall abuilding till the foundation was laid, by emitting the grounds of our after procedure. Our grand debate was with the McMillanites, anent their dissowning the civil magistrat because the present mould of Government comes not up to our covenanted constitution. We argued against them from the practise of the godly in the kingdom of Judah who owned the civil authority even when their kings were acting cross to the instituted laws of God, both civil and ecclesiastick, and their covenant ingagements, and Elijah and the 7,000 in Israel who subjected to Ahab's government as a civil magistrat; as also from the practise of our reforming assemblies when King Charles 1st. was destroying Presbytrie and introducing the service book. We found that they had not fully considered these things. However, the conversation was managed with so much calmness that by letters I have had from some of them since, I find they were well pleased, and they say that if that difficultie of theirs which they term the Gordian knott can be cutt by the sword of the word of God they and we will readily meet in other things. The day after the conversation they came and heard Mr. Wilson in the Kirk of Dumfermline.

We have two papers to come abroad shortly; the first will be ane answer to the Commissions narrative, which I suppose

may be readie and printed against the dounsitting of the Commission in March; the other will be a testimonie against the Established Church, containing the grounds of our secession and constitution, which I reckon will be published sometime before the next Assembly. The three brethren that live contiguous have them both among their hands. If your Lordship could allow yourselfe so much time I incline much they should undergo your review before their publication, which should be among the other deep secrets which I hope none shall be privie to but ourselves. But till I have your allowance I shall not so much as to move it to Mr. Wilson, who shall be the onely other person let in to it, because it can not be done without him. I'le be glad to see these prints you speak of when you get a safe hand to transmitt them; none shall know of any concern you have from me. I was very sorrie to hear of the *premunire* poor John Murray is fallen into by attacking a vile strumpet; perhaps he has been precipitant, but I know him to be a worthie Christian, and one to whom I ly under singular obligations. I do not solicite on his behalfe, for I daresay if he have justice on his side, he shall have it from your Lordship. I'm glad you are recovered of your late illness; I pray the Lord spare your life and health to do much service to God both in Church and State. You well observe that the way we four are in is new and singular, and we desire your continuance in prayer for the Divine conduct that according to His promise, He may lead the blinde in a way we know not, and that tho we be fools and wayfareing men he may cause us to walk without erring in His way. What tryals and sufferings may be before us we know not, but blessed be the God of our salvation, we are not att all disscouraged with any thing that has happened as yet; yea, we rejoice in it as a happie deliverance that we were shut out before we made a secession from the Established Church.

William Pulteney, afterwards Earl of Bath, to Lord Grange.

1733-4, February 24, Arlington Street, London.— I doubt not but you are apprised of the clause intended to be added to the Bill for regulating the elections in North Brittain, to render the Lords of Sessions incapable of being elected members of Parliament. The bill is under Mr. Dundas's care, who moved for it, but whither it will pass or not is very uncertain tho' this favourite clause be added to it by Lord Isla in honour of you. I suppose you will have a copy of the bill sent you by the messenger that brings this. I take it for granted that you despise the maliciousness of this intention, and will render it of no effect by quitting the employment if it shall be necessary. I hope you will not; I flatter myself you cannot fail in your election, but since no means will be left unattempted by some folks to keep you out of Parliament, I am clearly of opinion no means should be left unattempted by others to bring you into it; and if it should be in my power to give you any assistance, supposing you failed at home, I promise you that I will do my utmost to serve you somewhere in England. We have at last

made a subscription for the support of the expenses of expresses, and the money is placed in a gentleman's hands who will remain in town and always take care to provide proper messengers, and do everything that shall be necessary for the furnishing you with intelligence whenever he is desired; so that for the future it will be needless to send you any pamphletts by sea, tho' I am glad to hear you received at last those safely which I sent by that conveyance. . . . . We have not acted with any great vigour in either House of Parliament, and I own there is very little encouragement to undertake anything there as yet, but if the great man should begin by any accident to stagger at Court (as it is not impossible but he soon may), I fancy he will find few friends in either House to support him. There was a debate the other day in both Houses at the same time on a proposition to make regimental commissions forfeitable only by judgement of a court-martial; and it concluded with a motion for an address to the King to know who advised the turning out Lord Cobham and the Duke of Bolton, and what crimes were laid to their charge. Both questions in both Houses were carried in the negative. In the House of Lords the Duke of Argyle fell foul of the Duke of Bolton, and treated him with great acrimony, for which he is generally blamed. I am sorry for it because I love the man, and I think he does wrong to declare himself so furious a champion for a falling minister; he used formerly to my knowledge to judge better and act more wisely. Yesterday Lord Scarborough quitted his employment of Master of the Horse to the King. The ministers give out and would have it believed that it is not through any dislike of their measures that he has taken this step, but that he has done it purely with a view to serve them more effectually when he cannot be suspected should he continue to vote with them to do it from the influence of his employment. For my part, I cannot help thinking it a very odd way of expressing one's approbation of a company by quitting it, and I am sure it will not add to the reputation of the administration to hear that almost the only man of sense and credit amongst them has thought proper to retire from their councills. You may see by this step how true John Drummond's news was in relation to Lord Carteret, Lord Chesterfield and others. I dare venture to assure you that there is but one thing will ever engage either of those to enter into the King's service, and that is his resolution to give up the man who has done so much mischief to his country.

The Earl of Stair to Lord Grange.

1733-4, March 20. London.—My dear Lord, I suppose you have seen the letters I wrote to Drumore from time to time concerning what was passing here. I believe I have not thanked you for the honour of your letter of the 22nd. and for the memoriall that came along with it. It was very plain for what reason the clause concerning the judges was brought into

the bill, and for that very reason your friends were attentive to defeat it, which our friend in the House of Commons thought not difficult to doe by bringing in the Welsh judges, etc.; but by what I can see, the whole Bill will drop. The Court liked it for no other reason but the clause against you, and for the rest they are unwilling to have the hands of the sherifs tyd up or indeed to have any certain rules. I'm of opinion that some such bill is absolutely necessary; 'tis a better security of liberty to have any certain rule for elections than to have none. The Court are of another opinion, for they are for leaving everything open to influence and dependence, which appeared very barefacedly in the debates relating to the peerage of Scotland. You have seen in what manner they refused the proposall of voting by ballot, and they refused to lay down any rules for determining the claims of such persons as might pretend to be peers of Scotland. In effect admitting or not admitting of pretenders to vote at elections is left to the Lord Register. I'm afraid they will not have occasion for so great precaution; but in the meantime the hardnesse of the proceeding dos them no honour here. I doe not know what it dos with you.

On Monday wee had a very strong debate upon a resolution proposed by the Duke of Bedford, against a minister's naming 16 peers or pretending to influence their elections. I seconded the Duke of Bedford, and showed the many inconveniences that might happen to the constitution in all its branches, how dangerous it might be to the property, and to the liberty of every subject of this kingdome if 16 peers from Scotland should come to sitt in the Parliament of Great Britain named by a minister or chosen by undue influence, and painted in strong colours all the things that we had seen done in Scotland last year, as though that might happen, which required the passing of the resolution proposed that practises so very dangerous might be discouraged. Lord Ilay hardly ever looked up all the while of the debate. The people that spoke on the other side said it was irregular to bring in such a resolution without grounding it upon some fact which had been proved; that without such proof they could not believe that any such thing had been done or would be done, and therefor it was needless to put the question upon the resolution, but proposed the previous question. On that side spoke Lord Hervey, Earl Cholmondeley, Duke of Newcastle, Lord Chancelour, Earl Pawlet, and, last of all, the Duke of Argyle, complaining of the indignity done to the peers of Scotland by suposing they could be corrupted. On the other side spoke Earl Chesterfield, Lord Carteret, prodigious well, taking opportunity from an enconium the Duke of Newcastle had made upon the administration to show the great obligations the nation had to them for the happy situation of our affairs both at home and abroad. Then spoke Earl Winchelsea and Lord Bathurst, and then the previous question was put, 60 to 99. Inclosed I send you the question and the protest. The protest was intended to have been a strong one, but accidents happened to disappoint the drawing of it in time.

There was another incident happened on Monday which has not been agreable at St. Jameses. Addresses of congratulation were proposed in both Houses on the marriages, which were agreed to by everybody, and in both Houses the Opposition proposed a bill to naturalize the Prince of Orange. Duke of Marlborough proposed it in the House of Lords and Mr. Pulteney in the House of Commons. The fondnesse that the people express everywhere for the Prince of Orange is by no means agreable. He is to leave London on Tuesday next, and it is said the province of Holland has expressed great uneasinesse to let him pass thro' Holland upon this occasion.

I fancy wee shall have no more debates of any consequence in the House of Lords this Parliament, which Sir Robert proposes should end on the 20th of April and the writs for the new Parliament to bear date the 20th. The Court begins to discover great uneasinesse upon the chapter of the new elections. Sir Robert finds himself disapointed in the hopes he had of dividing the Opposition; they seem now convinced of the folly of their mutuall jealousies and are taking measures to act every where in concert against Sir Robert. There have been calculations made by the people best acquainted with all the different corners of the kingdome, and they run from 250 odd certain to 280. If that is the case, as the people that should know best assure me it is, Sir Robert will have a bad time on't. Wee shall bring alongst with us schemes of all the different elections in England by which wee shall be able judges from day to day how matters goe. 'Tis certain our friends are now in great spirits and the other folks are down. They desire no more of us than to put Scotland out of the question. Dont you think wee shall be able to doe that?

Wee propose all to come down very earlie and to take up our headquarters at Edinburgh. If in our different countrys wee are able to make a good figure in the elections of the commons, it may encourage our friends the peers that wish us well.

I beg you'll make my compliments to their Graces of Hamilton and Queensberry. I shall trouble neither of them with a letter, since I have said everything to you that occurs to mee at present. I am, my dear Lord, ever most faithfully and affectionately, your servant, STAIR.

March 21.—Wee sent the messenger this day to see what became of our Election Bill which stood committed for this day, but the committee is put off till Tuesday next.

WILLIAM PULTENEY to LORD GRANGE.

1733-4, March 22. London.—I presume you are informed by the Lords who now write to you what has been done in their House in relation to the election of the 16 peers. The last debate upon the question (which I need not repeat) was an extream good one. Lord Stair, who seconded the motion made by the Duke of Bedford, spoke with great warmth and uttered many bold and sharp truths. Lord Isla made no reply, and the

Duke of Argyle one that he had better not have made, for he never spoke so ill in his life. The bill for regulating the elections in Scotland was appointed for yesterday, when we were to have gone into the committee upon it; but as nobody now seems to mind that bill I am inclined to believe it will drop. I could not stay yesterday until the rising of the House, and so am unable to tell you what was done with it: but I fancy it will never pass into a law, in which case it will be well that a clause was inserted in it relating to the Lords of Sessions, because that is a demonstration that they might sitt in Parliament unless a particular law for the purpose had interposed. I hope your election remains secure and that all attacks made against you will be to no purpose. What I mentioned in my last in relation to a borough in England was misunderstood by you. I told you that in case you failed in Scotland through the corruption, artifice or malice of your ennemys I thought it behoved your friends to endeavour to assist you some other way, and I promised to do all in my power to find you some English borough without one farthing of expence to you. It often happens that persons of considerable estates of their own or who are recommended by men of quality who have great interest are chosen in two places, and within fourteen days after the Parliament meets they must make their option which place they will serve for. This often affords an opportunity of serving a friend who may have been disappointed in some other place, and those who can be of most use in the House are generally preferred to others. I could not pretend to give you any assurances of my succeeding in this way, but I would have done my utmost to serve you if it had been necessary, which I hope it will not.

I am surprised at the senseless rumour you have in Scotland of our friends being turned Jacobites, founded on their endeavours to restrain the prerogative with regard to officers commissions. I thought curbing the prerogative wherever it might be noxious was always a Whig principle, but yet in this particular nothing of the kind was meant. Nobody imagined the vote would be carry'd, and all that was intended was a censure upon the minister for so monstrous a piece of resentment as the turning two officers of high rank and great distinction out of the army for the opposition they gave to his Excise scheme in Parliament. And this attempt of ours followed immediately after the administration had caused a bill to be rejected for limiting the number of officers to sitt in the House of Commons, upon which we thought it right if they would not suffer us to lessen their numbers at least we should try to lessen the influence that was over them. But those people who will not allow that we proceed on Whig principles have forgot what Whig principles are. It happen'd that I the other day in the House took upon me to justifye the doctrine of resistance, and the Whigs clamoured against me, forgetting that the Revolution to which we owe the present establishment was founded upon it. This happen'd upon a debate on the Triennial Bill. I urged that the people had but two ways of helping themselves if they found

the Government attacking them or their representatives betraying them, and these two ways were reelection and resistance. God forbid, I said, the last should ever be made use of, and therefore they ought to have more frequent opportunitys of exerting the first. I wished therefore Parliaments might be annual. I tell you the affair as short as I am able, because I have not leisure to explain it farther, but what I said gave great offence at Court, who do not love to hear of a possibility of resistance; and the Torys did not much approve of it, being so contrary to their notions of passive obedience and seeming to justifye the Revolution. You see therefore how hard it is in this critical situation to conduct oneself to the satisfaction of both sides. It is this jealousy that makes the well-meaning dissenters fearful that what we are doing may establish their ennemys the Torys in power, and they are told by some of their corrupted leaders and some of their clergy that the discontented Whigs are little better than Jacobites. However it is certain that the dissenters are far from being unanimous, for I am assured in several countrys we shall have their assistance. There will be no vote of credit this year. Probably the Parliament will be up by Easter, in which case the new writs will be out early in May.

William Pulteney to Lord Grange.

1734, August 25. Petersham in Surrey.—I have now three letters from you lying by me which I am to answer; the first is dated the 27th of July and was delivered to me by the Duke of Montrose when he came to town; the other two are dated the 17th instant, and came by the messenger.

I am afraid the letter I am going to write you will be extreamly long, but you must forgive me since I have many things to say to you in particular, and some may be necessary in explanation of our joynt dispatch which the Duke of Montrose addresses to Lord Marchmont, and which his Grace, Lord Chesterfield, Lord Carteret and I agreed upon. Lord Carteret, who was under a necessity of going out of town the next morning after the messenger arrived, perused the several papers brought by him the same night before Lord Chesterfield or I came to town. He gave the Duke of Montrose his opinion what he thought proper to be done upon them. The next morning we two mett (the rest of our friends being all absent) and happened to concur exactly in all Lord Carteret's sentiments without having been previously advertised of them by the Duke, which was a manifest proof to us all that our notions must be right.

When we had read Lord Tweedales, Lord Marchmonts, Mr. Dundas's and your letters, and the other papers contained in the packett, and found a difference of opinion among you with regard to the farther prosecution of the affair of the election of the Scotch peers, we thought it necessary to apply ourselves in a particular manner to consider the nature of the evidence you

could produce and see how farr it would support any or what sort of petition in the House of Lords; for we all agreed with you that it would be entirely wrong as well as scandalous to drop this business in the present conjuncture, or indeed not to pursue it with the same spirit and vigour it was begun. The ministry, I dare say, would rejoyce exceedingly were they well assured they should hear no more of this affair, and I am confident they would be glad to compound (as much enraged as they were and still are against the protesting Lords) to attempt no censure upon them were they satisfied that nothing farther was to be done by them in the prosecution of it but that it was to remain as it now stood. But what would then become of the honour of those lords who have so gloriously exerted themselves in the cause of their country? How infamous would such a bargain be! And what hopes could we ever have of putting a stop to such scandalous practises and such corruption for the future? The only questions therefore are, What may be the most proper way of bringing this to a publick examination, and introducing it into one or both Houses of Parliament at the same time? How far is it right to push it? And what consequences may be expected from it? And here, methinks, the answer is very plain. Let us arraign the proceeding as highly criminal and tending to subvert our parliamentary constitution; let the agent of this infamous corruption be censured and punished as he ought to be; and let an act of Parliament be obtained to prevent the like illegal practices for the time to come. If we can put this affair into a method of obtaining these ends, or, which is as honourable for us, of forcing the ministry by acts of power and other scandalous means to prevent them, we do all that we can and all that is incumbent on us to attempt. To have the least notion of bringing the minority list into the House by a petition is vain and impracticable; to attempt annulling or vacating the election I am afraid is equally impossible, since really the evidence which you have obtained or seem likely to obtain is not sufficient for the purpose, nor does it affect numbers enough to be produced for that end. But surely the evidence is vastly strong as far as we propose to carry it and will expose to the whole world crimes of the most wicked tendency and make the agent appear as odious as he deserves. The only way therefore of introducing this rightly into the Upper House is by a petition, as generall as it is possible to be drawn. The lords who sign it should not complain of the particular injury done to themselves, but should shew the dangerous consequences to the constitution if such violent, corrupt and illegal proceedings are not prevented for the future, and then pray their lordships to do therein as to their great wisdom shall seem most meet. The method hinted at of bringing this business before the House by some lord rising in his place and making the complaint will never do, because no English lord can be supposed to be better informed than all the Scotch lords concerned, and none of them will appear to have made any complaint. You will find in our joynt dispatch a draft of a petition of the kind I have men-

tioned, which may be altered in any manner you think fit, provided it be kept in general terms and only setts forth the bad practises made use of at the time of the election. At the same time that this petition is presented to the House of Lords (that is the very first day of the sessions) we propose likewise that an impeachment should be attempted in the House of Commons. This must be done by proper persons informing the House of all the vile methods used in Scotland for procuring members to be chosen into both Houses of Parliament, concluding in naming the person who has been the conductor of the whole and making a motion to impeach him. This motion must be seconded and thirded by those who will undertake to make the articles good. If we have success in carrying this first vote, actum est, the business is done. If not, we shall gain credit in the attempt and the ministry will have the scandal of stifling clear and convincing evidence that they might the better be enabled to screen and protect such manifest corruption. The petition presented to the Lords may remain on the table and wait the issue of this impeachment if we should have success in lodging it, but if not, then the House of Lords may appoint a day for taking the petition into consideration, which cannot possibly be refused without bringing the utmost reproach on all their proceedings by declaring to the world that they stand in need of the 16 for carrying on the measures of the administration, and that they are determined to keep them in the House in all events tho' with great disgrace to themselves. This method of proceeding in both Houses at the same time is in my opinion not only the most proper but the most spirited way also. In this case we must take care to have the clearest, the most undeniable and satisfactory evidence to affect the man and to make out the crime that the nature of such secret iniquity will admitt of. What you have already got I think is very strong, but surely with proper management still farther evidence may be obtained; and I should think those peers who declared they voted unwillingly with the ministry might some of them be prevailed on to own the truth; at least when they have been charged with having once owned it and they are upon their oaths at the bar they may be brought to acknowledge the consideration that engaged them to vote in the manner they did. But I will not enter any farther into the nature of the evidence proper to try to get; the paper we have joyntly wrote points it out sufficiently. It is impossible absolutely to settle every thing necessary to be done on so important an affair as this is by correspondence only, and at the distance we are at; wherefore all the Lords, Mr. Dundas and you must resolve to be here at least three weeks before the meeting of the Parliament that every thing may be rightly concerted and every body have his proper part assigned him before anything be undertaken. The attendance of our friends so early may be of great use likewise in other matters in being always ready to concert measure as events may arise. I wish Lord Aberdeen would resolve to be here for whom (tho' I have not the honour to be known to him) I have the greatest respect and regard. I

remember him in the Union Parliament, when we were both very young, and I thought I never heard a cause so well supported nor defended with more judgment, learning and ability than he defended his own as a peers eldest son sitting in the House of Commons against the united attacks of many very able and great numbers who were at that time in Parliament.

I prophecy'd too truly when I told you that my letter would be very long. I am but just now come to address myself particularly to you. First then to answer what you desire to know about the meeting of the Parliament, I must tell you that it is impossible to be absolutely certain as to the time, since it depends on many events not to be foreseen. The ministry, I am sure, hope it will not and design it should not meet till after Christmas. The K[ing], I fancy, is made to believe it will meet the latter end of October; but this is not the only thing wherein they deceive him, for I am pretty confident he thinks he shall engage in the war and assist the Emperor at the same time. Horace Wal[pole] has declared publickly at the Hague to the Imperial Minister there that England shall on no account be drawn into the expenses of a war, but that if the Emperor will listen to peace they will endeavour to get the best terms they can for him. Sir Robert knows his own circumstances, and those to which he has reduced this nation too well to venture on so hazardous a measure. He sees, 'tis true, the House of Bourbon more united and more triumphant than ever, and all this the wise work of his own or his brothers head and hands; but he had rather bear this reproach and ten times more than risque a warr which must be his immediate ruin. This way of reasoning convinces me that unless some very extraordinary event happens the Parliament will not meet till after Christmas. But whenever I have any certain information with regard to this I will write to you again.

I cannot help laughing at the many ridiculous attempts which have been lately tryed on you to force you into an alteration of your conduct. However long they may pretend to have been acquainted with you I am persuaded they know you but little who could imagine to intimidate you by threats or menaces; and they know you still less who could hope to reduce you by any shew of advantage or placing self-interest in your view. These are vain attempts on a man of steadyness and honour, and discover nothing but the weakness as well as the bad heart of those who use them. Lord Islay does me justice in allowing me to have a true esteem and respect for you but I dare say his view in doing it was to obtain the readyer your belief in what he said of Lord Cartaret, which I assure you, and you may take my word for it, is entirely false and malicious. Lord Carteret has often told me that he had not the honour to be personally known to you but that he hoped through my means to be so next winter. He has often expressed the greatest opinion of your abilitys and rejoyced with me at the good fortune we should have of your assistance in Parliament. I need say no more to convince you that what you have heard about Lord Carteret is groundless. I will say no more, because

if I was to tell you all that has passed between us with regard to you I should flatter you more than you care to hear or I to do. I forgot some time ago to tell you what I heard about your quitting your place. The ministers sent to the Lord Chancellor and Lord Chief Justice to know if an employment held for life could be said to be relinquished till the Crown had accepted of the resignation. They both agreed that in England it could not, and that a man could no more turn himself out without the King's consent than the King could turn him out without his own; but how the custom or usage in Scotland was they could not answer. As well as I remember you had the King's acceptance of your resignation before your election came on, but if this be not so you should inform yourself as to the usage in Scotland. Having mentioned Lord Chancellor and Lord Hardwicke, lett me (to take away your fears about Lord Islays governing absolutely in the House of Lords in all causes upon Scotch appeals) say something to you in respect to their general characters. I take them both to be men of very great worth, honour and integrity. Their abilitys are beyond all dispute and you may depend upon it that they have too great a value for their own characters to be guided by any one or not to act with the utmost justice and impartiality in all causes that shall come before them. It is true in debates of a political concern I believe they will always be ready to assist the Ministry and make the wheels of government move easy, and this in their stations it becomes them to do; but I am persuaded that they have no particular attachment to the person of the great man, nay, I dare say they think of him and most of his measures in their hearts as we do.

William Pulteney to Lord Grange.

1734, November 12. London.—I suppose you know the Parliament is to meet on the 14th of January. I hope you will all be here early in December to settle many necessary and important points before the sessions begins. Whether we shall have war or peace is still extreamly uncertain, but I am assured large demands will be made, thirty thousand seamen at least. The English forces, they say, are to be made up thirty thousand men, and there are treatys already made with Sweden and Denmark for twelve thousand men each, and six thousand of each we are to take into immediate pay. These expences, with what we run out last year on the vote of credit, will make many heavy taxes necessary. One is talked of so much that I dare say the ministry have it in their thoughts; it is a farther duty on houses, but how it will be modelled I cannot say. The common report is that every window in the kingdom is to pay twelve pence. This would raise a prodigious summe indeed, but I am apt to think it would raise a rebellion at the same time. I think in Scotland you have never paid anything as yet to this duty; but if any new scheme be offerd to Parliament on this head to be sure Scotland must pay its proportion, for should the projectors of this tax pretend to excuse you they

would be tore to pieces in England, for it would revive the memory of what was done in relation to the salt duty. And on the other hand if Scotland was to pay this duty with rigour it could not possibly subsist under it. I think when the salt duty was taken away, which was one of those that paid the interest of your new bank, the proprietors petition'd to have the house duty given to them in lieu of it, but upon consideration the Treasury refused it. Mr. M—ll one of the English proprietors of your bank wrote to you some time ago, and hopes you have red his letter tho' he has had no answer to it. He says it will be time enough to concert measures with you what will be proper to be done when you come to town.

A report runs about as if Lord Cha[ncello]r was extreamly disgusted and determined to lay down his employment. I know nothing of it myself, but I think the ministers have used him very ill; I know him to be a man of honour and spirit, and think he cannot after the declarations I am told he made touching the Bishop he recommended, brook the usage they have given him in this and in another particular. Lady Suffolk has this day resigned her employment as mistress of the robes to the Queen, and is retired from Court. It makes a great noise; but this is not a subject to write on in a letter by the post.

Once more I beg of you to insist that everybody that has promised comes up in time, for a great deal will depend on a right concert of measures.

1735. Copy, Indictment by the [probably the Presbytery of Sterling] upon the Rev. Ebenezer Erskine, minister of Sterling.

1. Whereas by the Word of God, Acts and Standards of this Church, all ministers are bound to maintain the unity of the Spirit in the bond of peace, and to essue all practises contrary thereto and tending to cause divisions and offences contrary to the same, and to maintain that love and peace with our breathren by which their ministrie may be usefull in their respective stations; and whereas all practises contrary to the mutual love of ministers one to another are contraary to the commandment of our Lord Jesus Christ of being subservient to one another, John, chap. 13, verse 13th; 14th chap. and 34th verse, and are instances of biting and devouring one another; and whereas it is the unquestionable duty of all ministers to behave themselves with dutifull respect to the civil powers and to the authority of the Church whereof they are members and to obey them who have the rule over them, and so to behave themselves as not to break in upon the comely order of the Church or encourage persons in continuing under a conversation unbecoming the Gospel by allowing them a disorderly partaking of the ordnances thereof, and it is their unquestionable duty to follow these things that make for peace and things whereby we may edify one another—Yet [it] is of verity that you, Mr. Ebenezer Erskine, minister of the Gospel at Stirling, have been guilty of contravinning the said dutie of

your office and character in regaird you have upon one or other of the days of the moneth of November j^{m} vij^{c} and thirtie three seceeded from the judicatories of this Church by a paper given in to the Commission of the General Assembly then mett at Edinburgh containing the said secession, abstaining from attendance upon and assisting in them for a long time past, which is contrary to the scope and spirit of the Gospel and particularly Rom. chap. 14th and 19th, Ephes. 4th and 3rd., and Confession of Faith chap. 20, sect. 4th, and to the very nature of our subjection to the judicatories of this Church.

2d. and separatim—You have joyned with others in erecting yourselves into a presbyterie independent upon and contradictorie unto the judicatories of this Church, and taking a jurisdiction to yourself opposite to your breathren in this Church, which is contrary to the foresaid Scriptures, Articles of Confession of Faith, and inconsistent with your duty to the judicatorys of this Church, in as much as you did meet and act in a presbeterial capacity with Mr. William Wilson, minister of the Gospel at Perth, Mr. Alexander Moncrief, minister of the Gospel at Abernethie and Mr. James Fisher, minister of the Gospel at Kinclaven, at Perth on the third day of November or December j^{m} vij^{c} and thirtie six or on or other of the days of the said moneths, and with the same persons you did the same at Orwell the eighteenth day of the months of January or February j^{m} vij^{c} and thirtie seven or on or other of the days of the said moneths.

3d. and separatim—You did upon the third day of November or December j^{m} vij^{c} and thirtie six or one or other of the days of the said month in conjunction with the foresaid persons emit a paper called Act, Declaration and Testimony for the doctrine, worship, discipline, and government of the Church of Scotland agreeable to the Word of God, Confession of Faith, the National Covenant of Scotland and the Solemn League and Covenant of the three nations, and against several steps of defection from the same both in former and present times, by some ministers associate together for the exercise of Church government and discipline in a presbeterial capacity; in which there are several passages contrary to your duty to the Church and breathren and injurious to the civil government, as *primo*. In the introduction to the said Act, page 4th, paragraph 5th, you assert that the judicatories of the Church are carrieing on a course of backsliding, and charge the Church with not censuring a man who was charg'd before them and maintain'd and vented errors which have a manifest tendencie to subvert all religion natural and revealed; 2d., Introduction to the said Act, page 4th, par. 4th, You assert that God's heritage is groaning under the weight of violence and oppression and crying for help and relief from the judicatories of the Established Church but finding none; and page 7th, par. 2d., page 65, par. 1st, page 77th near the foot, page 78th near the head, you charge the ministers and judicatories of this Church with giving up the truths of Christ and adopting dangerous errors. Item, you do, page 84 of the said Act, charge the General

Assembly j^m. vij^c. and twentie with condemning a bundle of propositions containing important matters of doctrine, and in the same page you charge the Assembly j^m vij^c. and twentie two with not repealing the said Act though themselves acknowledged it condemned precious truth in express terms. Item, You condemn the fabrick reared up at the Revolution and the practise both of Church and State whereby it was done as contrary to the Scripture patern and example. Item, In the said Act and Testimony, from the foot of page 82 to page 89 near the foot, you charge the ministers and judicatories of this Church with giving several dangerous thrusts and wounds to our presbyterian constitution from the year j^m. vij^c. and fifteen to j^m. vij^c. and thirtie six. Item, You charge our Union constitution with being contrary to and condemned by the Word of God, in the said Act, page 44 at the head. Item, page 86 of the said Act, near the foot, you charge the Parliament with the making of ane Act contrary to the express letter of the law of God. All which as they are highly injurious, so they tend to alienate the affections of your Christian breathren from their superiours and our constitution both in Church and State, and are contrary to the formentioned and other Scriptures, Rom. 13th, 7 verse; 2d. Peter, chap. 2d., and 10 verse; Art. Confession and the 6th Act of Assembly j^m. vij^c. and fourteen and the 6th Act of Assembly j^m. vij^c. and fifteen.

4th and speciatim—You have been guilty of emitting expressions tending to sedition in the civil constitution and schism in this Church; particularly upon the first Sabbath of August or one or other of the Sabbaths of the months of July, August or September last, you said in the pulpit of Stirling that the King, Parliament and Assemblies were staggering like drunken men. Item, You said in the pulpit of Stirling upon the first Sabbath of August or one or other of the Sabbaths of the months of July, August or September last, when speaking of the Act of Parliament anent Captain Porteous that if the King did not resind that Act which he had touched with his scepter it was easie for God to hiss in a Spanish or French armie and overturn him and his kingdom both. Item, You said in a sermon preached by you at Sterling on the first Sabbath of October or one or other of the Sabbaths of the months of October or November last that the Church of Scotland was like a house infested with leprosie, it was not enough to rinze it with hot water but to raze it to the foundation; which are contrary to the forementioned Scriptures, Rom. chap. 13th verse 7th; 2d Peter, chap. 2d., 10 verse; and Titus 3 chap., 2 verse; Jude, 8 verse; Confession of Faith, chap. 20. sect. 4th; chap. 23d. sect. 4th.

5th—You have been guilty of great irregularities, particularly by baptising the child of John Ferguson, merchant in Down, though the minister of Kilmadock declared he could not have admitted him to be a sponsor without giving satisfaction for scandals that lay against him, which you did at Sterling upon the 6th day of July or one or other of the days of the months of July, August or September j^m vij^c. and thirtie five. Item,

You did upon the first day of August or on or other of the days of the months of July, August or September last mary Thomas Buchanan in the parish of Kippen to Florence Grahame without proclamation of bands in that parish. Item, You were guilty of being art and part in ane unwarrantable excluding of five elders, members of the kirk session of Sterling, viz., Henry Christie, William Maiben, Andrew Miller, Hary Allan, and Robert Banks upon their refusing to withdraw a regular protest taken by them in the session and to profess their sorrow for entering the same, while it was in dependence before the Presbetry of Sterling, which you did at Sterling upon the nineteen day of July last. All which practises in each of the foregoing articles are highly agravated by your engageing at your ordination to submit to the judicatories of this Church and to follow no divisive courses from your breathren. All or any of which articles being found proven, you ought to be censured according to the demerit of the offences that shall be proven for preventing the bad influence of the same upon others and your just correction.

The Earl of Stair to Lord Grange.

1736, March 15. Newliston.—My dear Grange, I give you a thousand thanks for your letter of the 22th of February. It dos not at all surprise me to see that the country party dos not act with that same spirit that moves you; they dont all from the same principles, the love of liberty and the good of their country, which makes their counsells disjointed and their operations feeble. Many don't understand, a great many dont think, and the concern of a great many more is for their own particular intrest more than for the good of the publick. The views of the leaders are likeways, I'm affraid, very different, nor is there that confidence in one another which is necessary to give life to the generall movements of a party.

All Sir Robert's circumstances considered I think he should not [be] very violent in opposing laws that may and ought to be proposed for securing our constitution; I mean the freedom of elections and the freedom of Parliament. There is another thing he should be very fond of, that is to find means to sink a part of the national debt; and that in my opinion can be done in no other shape but by the reduction of the intrest the nation pays to the creditors of the publick. Without something of that kind is done speedily in case of a warr this nation has no fund of credit to raise money to support itself if attacked, or to hinder the balance of Europe to be entirely broken.

This peace, which is much better than we had reason to expect, I believe will last as long as the Cardinal lives, but if an ambitious minister succeeds to him, will any man tell mee that such a minister will not have much greater advantages than any of his predecessors to extend the dominion of France over the rest of Europe? If such a minister should not turn

his head to the affairs of the Continent but should content himself to get the better of our trade in the West Indies, in that case, which I'm affraid may not be farr of, wee shall want money. After what has happened we have no reason to flatter ourselves that the Emperor will take a great deall of pains to spirit up other princes to make a generall warr in Europe to save our possessions in America. For these reasons I think the people that mean well to their country such (*sic*, ? should) print the steps that are necessary to the reduction of intrest immediately. What Sir John Bernard I'm told said upon that subject seems to mee to be very good sense. If such things are attempted by the friends of their country and exposed by the minister, it will make the load of his iniquitys very heavy.

I'm very glad the Prince is to be marry'd. I wonder wee hear nothing of an establishment for his familly. It will not be very agreable to him to be depending upon Sir Robert for the bread his familly is to eat.

Lord Lovat to Lord Grange.

1736, October 12. Beaufort.—My dearest cousin, Nothing but a terrible sickness which I labour'd under for above three months and which exhausted all my strength and almost all my spirits could have hindered me from paying my most affectionate humble duty to you, as not only my affectionate relation but as a man of the most singular merite that Scotland has produced in this age, and the man on earth to whom I am most ty'd to in intimate friendship and comeradship.

I had the honour, the comfort and the satisfaction to receive two letters from you the one dated the 18th of July which contains more religion, more divinity, more just politicks, more discoverys of the weakness, inconstancy and ingratitude of man that a hundred volums that were printed and sold at a high price on those subjects; for which reason I keep it up in my strong box, and will leave it and recommend it to my children as your testament religieux et politique, to instruct and direct them how to behave as Christians, as men, as patriots, and as sincere and stedfast friends.

If they do not follow those sentiments which are so clearly set down in that excellent letter, I am very easy about what may happen them; but if they do study and observe those glorious principles and instructions, they will become an honour to their country, a support to their friends, comfortable fathers and protectors to their family and kindred, and a blessing to the land that they live in. So, my dearest cousin, I give you ten thousand sincere thanks for that incomparable epistle that you have honour'd me with, which I will alwayes remember as an inquestionable proof of that rare and singular affection and friendship that has been for many years inviolable betwixt us in spight of the malicious artifices of ill men; which friendship, I hope, will continue betwixt us and our children for more nges than one.

I am heartily sorry for the great misfortunes and hardships that your family has suffered for a fault that no old family in this island can free themselves from at some time or other, or then they have been very obscure and did not deserve the name of a family. The proceedings against my Lord Erskine are singular, only that they proceeded from the hatred that was against you, and it is not at all singular that one relation should suffer for the pretended faults of another, tho' it is against common justice and equity as well as against Christianity and religion.

As to the ingratitude and ill-usage of great men to those who have served them faithfully is a thing too well known in the world and has been the practice of wicked great men in all ages, so that there is hardly any history but makes mention of it to the great dishonour of those eminent men whose other good qualifications are tarnished with that black villainous crime of ingratitude. You and I have felt the effects of this base, unm nly and ungenerous practice. For my own part, I have found these four years past such monsterous proofs of ingratitude from those that I have served with the greatest integrity, zeal and success immaginable that I think shame to tell it, but when I do, it will be to their everlasting shame and confusion, and here I will leave it.

By all the accounts that I can have there is a vast noise and bustle made for hanging the fellow Porteous, who in my humble opinion deserved a thousand deaths for shedding so much innocent blood. I am sorry that the Queen's reprive should be contemned, but when people were exasperate by the barbarous murder of their relations and children, I think their ill manners should be forgiven ; and if I was a minister of State I should endeavour to perswad the Queen to drop it, which I humbly think is the best can be made of it now. That riot was carried on with so much secrecy, dexterity and good conduct that some people in this country said that my Lord Grange was at the bottom of it ; but I told them that it was too mean a game for that gentleman. If it was a plot to break the Union with as much art and success as this had I would be truly of their opinion, but that is the work of Providence and of time, which certainly will happen some time or other, for the people groan exceedingly and no pains taken to relieve them or satisfy them. I wish God may preserve our poor unfortunate country from utter ruine which threatens it very much.

After a long sickness of four months in which I despaired of my life I bless God I am now pretty well recovered and grow stronger every day by use of the cold bath, whiche I have begune a fortnight ago at the time when Doctor Clerk least expected that I would have the courage to do it, notwithstanding of his many advices to me upon that subject. I bless God I am strong enough to undertake the journey to Edinburgh, to assist at the Assembly of the peers and to make court to my patron. But I am fully resolved to stay at home and look after my ploughs and my improvements, for I remember the old Scots proverb that she is a silly whore that is not worth the

asking; and as I am taken no notice of by the ministers and great men I am resolved not to meddle in their politicks. I never got a single penny by their administration, so I think it would be a great folly for me to waste my person or my estates to support them. The following of their orders and instructions in the last election cost me above £4,000. and I never got as much as their thanks for it; so that I have no reason to throw out £100 to make my court at Edinburgh when I have not the least call to it. As for my proxy I shall send it to the Earl if it was for one of his coach horses, for as long as I have the least benefite from the Government I will obey their positive commands; but if Fraserdale was once paid and that I enjoy the estate of Lovat as fixed as the laws of Scotland can make it (which I hope will be in less than four or five years), he will sing sweet that will engage me to ride ten miles as an adventurer for any administration. The estate of Lovat as it now stands is richly worth £2500 a year, that is 2000 pounds a year land rent, and 500 pound a year of the fishing and woods. The fishing of itself this year makes about £600; but this is an extraordinary year for the salmond fishing in Scotland. However if it is God's will and pleasure that I should live yet ten years, I will leave the estate of Lovat fifty thousand marks a year free rent to my children, and that is as great an estate as ever I would wish a Lord Lovat to have in this country, for if he had a greater he would hardly stay in the country or be a country man; and I resolve to give him such Scots and French education that I hope he never will be an Englishman. And I am perswaded before he is of age that the cursed union betwixt England and Scotland will be broken, and then Scots men must be Scots men whither they will or not; whereas we are now but poor, mean, servile and mercinary English slaves. We have brought ourselves to that base, cursed, infamous and degenerate situation by our treachery towards God and man and towards our country which should be dearer to us than all mankind; so we deserve all we meet with from our old enemies to whom we gave ourselves up like traitors, like fools and like cowards, tho' we well knew them to be our natural and inveterate enemies for above seven hundred years. There may be a particular Englishman that has a reall friendship for a particular Scotsman, but the English nation in generall always did and will hate ours. I remember that one day that I was at Court in the late reign, upon the news of a riot in Fife about the transportation of corn when the country was in great want there was an insurrection to hinder the corn to be shipt, there was a party of the forces to guard the ships from insults, and during the riot there was some of the soldiers killed and wounded, and this made the great minister cry out that he wish'd that all the men in Scotland were in the island of Fife cutting one another's throats as long as one of them remained. The late Lord Belhaven, who stood by me answered, And you, sir, in the midst of them. I own I never could forget that expression, it had such a deep impression on my soul; for passion made that great man express what all English men think and

wish at the bottom of their hearts. Some of them may profess otherwayes for the advantage of their party and the advancement of their self-interest and designs; but the hatred of the Scots nation is the reall principle of all English men, and I from my heart disdain and despise those mean spirited and degenerate renegads who creep in as mercinary slaves and spaniels into the backsides of ane English administration and serve them as silly fools and packhorses against the wellfare, the interest and the honour of their native country. So that it is plain that our age is more degenerate, more corrupt and more cowardly than the worst time of King Balliols reign who gave himself and his nation up as tributarys to the cruel and barbarous Edward the First of England, who had such an inveterate malice and hatred to our nation that in his own time he had almost extinguished the name of Scots, and to use his own expression when he sent his last army against us he said it was *ad delendum nomen Scotorum*. And if Providence had not taken him at that very time out of the way and that he was succeeded by a fool and a coward by all probability he would have accomplished all his wicked designs against our nation: and I admire how any true well-born Scotsman can forget those days in which our country labour'd under such dismall oppression and slavery, and that we should be again infatuate to give up our libertys and independency which we then recovered at the expence of the blood of a great many brave and heroick persons by the singular providence and protection of Heaven against such a powerful and cruel nation. Tho' we see no more now of the glorious spirit and resolution of our antcestors, yet I hope Divine providence will be alwayes the same towards us and that when God is satisfied of our just sufferings and punishments for our manifold sins and offences He will in his own good time take away His scourge from us and relieve us from the iron yokes that our necks are too closslv bound to at this time. And I likewise hope to see, at least I am sure my children will, your great family flourish more than it has done for severall ages and that you will enjoy the greatest honours and preferments of the kingdom, as you do already enjoy the greatest merite and birth that is in it. This is and shall be my constant and earnest wish while there is breath in me, for you know that I am more than any man alive with unalterable love, zeal and respect, my dearest friend, your most affectionate cousin and most obedient humble servant, LOVAT.

P.S.—The bearer who is to deliver this letter to you out of his own hand is a true Fraser and a faithful kinsman to his chief. I therefore beg that you may honour him with your countenance and protection.

LORD DRUMMORE to LORD GRANGE

1736-7, March 22. Edinburgh.—My dear sir, I shall be glad to hear that my former epistles have come safely to your hands. What is new follows. I apprehend there hath been a

mistake in that wrote to C Da where it was said that the Q[ueen] in a letter to the provost approved of the conduct of the magistrates in Wilson's execution. The letter was from the D[uke] of N—— bearing to be by her Majesty's order. That there was such a letter was the subject of talk commonly here below. I have not seen anybody that hath had occasion to see the letter, but it was thought very much of at the time, and what in a manner intitled the poor creatures to sing *Te Deum* and consequently lay all the blame upon the generall, which I have good reason to think was the plan concerted between them and the J[ustice] C[lerk].

I begin to think that it is impossible these poor creatures could have acted so if some words had not been dropt by somebody to them that to quiet people's minds it were no matter tho' that fellow Porteous were hanged. God forbid me if I am unjust, but I do believe if they are handled they'll squeak and tell all out.

Upon McClauchlan's tryal, who is acquitted unanimously by the jury and most justly for the lack of proof, some things happened that its worth your while to know. James Heriot and George Campbel, wrights in Edinburgh, were brought as witnesses chiefly, as the procurators hoped, to say something in vindication of the magistrates' conduct in trying to disperse the mob, tho' one would think that had too near a connection with the criminal's guilt. So a great many pompous questions were put to them to show with what bravery they had behaved. But alas! the answers did not answer expectation. They swore directly the reverse, that they and others had often beg'd of them to go out of their drinking hole to try at least to quell the mob, assuring them there was no sort of difficulty in it; that at last they did prevail and out the magistrates went; that upon their appearance the mob fled, but as they advanced they soon perceived that their honours had retired and left them and one or two more and nobody else, upon which the mobbers got heart and advanced upon them, and they most reasonably retired. The solicitor after these answers agreed they did not seem to be quite necessary to be set down as what had no great connection with the case in hand, and this was also the court's opinion. I forgot to tell you that they swore also that if they had had a half score of neighbours to themselfs they were positive they could have dispersed the mob.

Plenty of other evidence may be had as to the behaviour of the magistrates, and particularly Kenneth Urquhart, wigmaker in Edinburgh. Baillie Hugh Hathorn desired them to go out to quell the mob and they refused, desiring him to sit down and take a drink.

We had an express here on Sunday's night, and nothing being given out to favour the magistrates next day it was concluded their affairs stood ill. I enquired as well as I could what this express meant; I believe I have found it out. The magistrates, it seems, are apprehensive that the piece of news inserted in the papers dated the 19 of Aprile last had given offence, as what was calculated to impose upon the world in general and

the ministry in particular, and that its possible the authors thereof might be enquired after. To prevent this a project was formed to get up from James Grant, the printer, the original paper, which is signed by some of the magistrates and some ministers. Yesterday Grant was sent for to the Council chamber by B[ailie] Will[iam] Crockat, and severely threatened, as I am pretty well informed, to give up that principall paper and declaration by the late magistrate and some ministers, and told that if he would the treasurer should give his receit for it. But this he absolutely refused to comply with. I imagine this hath been the intention, one of them, of the express, but it hath misgiven, nor will Grant part with so much as a double of it, altho' I found very hidden ways of setting his best acquaintances upon him to no sort of purpose. However you have a copy of the newspaper sent you some time ago in which it is verbatim engrost.

I am also well informed that Brigadier Moyle upon seeing that magisterial declaration in the print of Aprile 19th had drawn up a signed paper which he offered and gave to James Grant to be put into the next or some other newspaper for his own vindication; that James Grant undertook to do so; that the J[ustice] C[lerk] having got notice of this, sent for James Grant, and threatened to send him to prison if he presumed to publish Moyle's vindication, and expresly discharged him so to do, assuring him that he, the J[ustice] C[lerk], should stand between him and all hasards if he did it not; and at the same time pressed Grant much to give him Moyle's declaration, which he absolutely refused to do, tho' he complyd with the not printing it. I own it is pretty extraordinary for the magistrates of Edinburgh or any single man to controul the press, to have the liberty of putting accounts of things upon the world as the only true ones and to pretend to punish those who shall dare to contradict them in telling even the honest truth. This perhaps may be found to be law here, but pray, Is it law in England or anywhere out of Turkey or some such enslaved place? If these things are material, as some of them are in my humble opinion, they are very easily to be prov'd. I own that I pity the poor ignorant cowardly bodies the magistrates. I saw always fourty ways of ruining them, and once they were called upon I thought their destruction inevitable; but to touch other people who have done and do all they can to ruin the nation I thought indeed material, and unless something of that sort is done I shall rather be sorry for the other offensive beasts as they are. By the by there are two of them not below notice so much neither, and yet I scarce think them worth all this racket. The Solicitor, and some say the J[ustice] C[lerk], set out for London to-morrow.

Since writting, there is all the evidence necessary to prove that there was such a letter as above from D[uke] N———, if the provost's saying so and owning himself highly honoured by it to several creditable people is a proof that there was such a letter, which was wrote to the provost after the J[ustice] C[lerk] had given the account of the matter to the D[uke] of

N———; and this seems strongly to tallie with the plan and the J[ustice] C[lerk's] undertaking to get their necks sliped out of the collar.

I had very near forgot to tell you a very material thing. It was asked at all the witnesses if they saw the pannel, McClauchlan, at the tolbooth door, and there were particularly two or three that said no, but that they saw——. They were here stopt by the Court and were told that they were not asking who were there but if the pannel was there. Perhaps it might have been allowed a witness to make a discovery when the affair is of such importance as to be inquired into above. People's scheme to hush a very strange transaction for causes to them known to be good may be collected from this and other circumstances. Jamie Graham Doug. certainly is a man that should be called up; he knows what pains were taken with him not to plead Captain Porteous's orders, which I suppose ere now appear well proved before the House; how far it will be their opinion that goes is another matter.

Marshal Keith to (Lord Grange?)

1739, March 11. Paris.—He can scarcely write owing to his weak condition of health, but having learned from Prince Cantemir of the loss of certain letters written last year to him and Lord Kintore, he must clear himself of the natural charge of ingratitude which must thereupon arise. He cannot sufficiently express his sense of obligation for "the uncommon generosity with which you acted in my affair before the Parliament . . . . . And tho' the peevishness of a minister has made the attempt fruitless yet I have gained enough in having so many proofs of the friendship of a person of so much merit and reputation."

Lord Lovat to Lord Grange.

1742, October 31. Beaufort.—My dearest cousin, I received the honour of your long letter a good while ago, and I would have made a short answer to it long ere now, but that I did not care to trust the post; and now I have the honour to write you this short letter by my relation and kinsman Mr. William Fraser, writter to the signett, who has the honour to be known to you.

I do assure you, my dearest cousine, that almost every line of your long letter made me shead tears, and I truly coud not forbear weeping in reading and reflecting on your horrid misfortunes, which are beyond any that ever I knew or read of. Great and reall merit, true honour and integrity, vast knowledge and universal learning, an uncommon penetration and dexterity in all bussiness, and fidelity and affection to a friend were never so much abused, calumniate, run down and oppressed in any man as they have been in your person, and I can say without compliment that I never knew a man of any countrey so much endowed with these good qualities as you are; and your religion and good sense is the only thing that coud

make you bear as you do so many cruell misfortunes and disasters. I pray God may continue to strengthen you and to give you force to resist such a torrent of misfortunes, and may He in His providence confound your wicked and most malicious enemies and support you against them and raise you to the splendid good fortune that your merit deserves. I don't at all doubt of it, and to see it accomplished will be always my sincere prayer and earnest wishes; and if the venturing of my old person with my sword in my hand would contribute to it I would do it with as much pleasure and willingness as any of your sons coud do, for there is none of them that loves you more sincerely or that has a more affectionate attachment for your person and concerns than I have. I flatter myself that you don't doubt of this. There are so many damnd circumstances in your letter and some of them so very dark and obscure that I must reserve the answering of them to a conversation and not commit it to a letter. However I beg for God's sake that you do me the honour to let me hear more frequently from you; for if there was but three lines in your letter it will give me great pleasure to receive it. If you will do me the honour to write to me I entreat that you may give your letter to William Fraser, junior, my doer, with whom my daughter stays, and as he was here lately I designed to have sent this letter by him, but forgot it the day he was going away. Mr. Fraser will send me your letter in his own packett which never goes into the bagg but is carried by the runner whom I pay liberally for it.

My son and daughter join with me in assuring you and all your concerns of our most affectionate respects and best wishes. My daughter is as happy in a husband as I coud wish her, for Cluny is as good humourd a gentleman as ever I saw in my life, and of the most even temper; and as she is endowd with as sweet and agreeable a temper as any woman that ever I knew they cannot but be very happy.

I offer my most humble duty to all the relations of your person and family that are with you. I again beg to hear from you, and I am while I live infinitely more than I can express with the greatest esteem and with an unalterable zeall and respect, my dearest cousine, your most obedient, most obliged and most affectionate humble servant, LOVAT.

LORD LOVAT to LORD GRANGE.

1743, *circa* September. My dearest cousin, I received the honour of two letters from you since you came to Scotland, but I must freely tell you that your first letter so pierces my soul with grief that I have not been able to answer it. You know how much I always admir'd your merit. You know how much I knew in a particular manner the very rare qualifications of your soul, justice, friendship, gratitude, integrity and honour, and all in a supreme degree; and I must add to this our blood relation, and a very sincere attachment to one another. How then coud you think, my dear cousin, that it

was in my power to answer a letter from you that brought me such dismall accounts of your horrid misfortunes? And how such a man who deserves more than most of the race of Adam should be so barbarously oppressed by those that he had most faithfully served. No, dear cousin, I cou'd not answer it but by shedding of bitter tears in reading of it, which I did more than once, and praying to God that in His goodness He might relieve you from your cruel misfortunes, which I continue always to do; and I hope my prayers will be as soon heard as Mr. Whitfield's, because I am sure they are fully as sincere, and I believe, tho' perhaps youll think it vain, fully as well-founded upon good principles of true religion, which I am so selfish as to think I understand as well as Mr Whitfield. And my faith of reall religion makes me hope and believe that you will soon be relieved from your troubles and malicious enemies. This is the earnest wish of my heart and soul.

I give you ten thousand thanks, my dear cousin, for being so good as to do my son Sandie the honour to witness his examination. I dare not flatter myself to believe that what you are pleased to say of him is the product of his own nature and genius, otherways it would make me too vain; but this I think that if he turns out well he will make a very pretty fellow that will do honour to his family and country.

As I have a great project in my head for the good of my family in which you can be very usefull to me, and since I know that you will stand at no pains or trouble to do effectuall service to my person or family, I shall acquaint you fully of my design by the next post. In the meantime I beg leave to assure you of my affectionate humble duty, best respects, and good wishes, in which my son joins me. My daughter, Clunie's wife, is with her aunt, the Lady McKenzie of Scatwell, and Clunie is at home preparing his house for the reception of his wife.

I beg to hear more frequently from you. I have seen that you have not been lazy to write to other people, and why will you be so to the man in the world who loves your most? Adieu, my dearest cousin, I am fully as much yours as I am my own, LOVAT.

AN EPISTOLARY CIPHER. (No date.)

Old Dutchess of Hamilton	The Sybil.
D[uke] Hamilton	Dr. Bray.
D[uke] Beccleugh	Lady Ballegarnie.
D[uke] Gordon	Sir Solomon.
D[uke] Queensberry	The Antelope.
D[uke] Argyle	Mr. Piercy.
D[uke] Douglass	The Child.
D[uke] Athol	The Alderman.
D[uke] Montrose	Miss Santlar.
D[uke] Roxburgh	Mr. Bateman.
M[arquis] Tweedale	Monsieur le Begne.
M[arquis] Lothian	Will Summers.

M[arquis] Annandale	Mr. Porter.
E[arl] Crawford	Dun Robin.
E[arl] Errol	Mr. Lee.
E[arl] Marishall	Sir Andrew.
Sutherland	Mr. Clinch.
Mar	Mr. James.
Rothess	The Brick.
Morton	The Biscayner.
Buchan	The Old Woman.
Glencairn	The Huggar.
Eglinton	Mr. Brittle.
Cassils	A.
Cathness	a.
Murray	My Ladys Usher.
Nithsdale	B.
Winton	Mr. Hepburn.
Linlithgow	C.
Hume	Monsieur de Villier.
Wigton	Mr. Box.
Strathmore	Lord of the Mannor.
Abercorn	Sir Politick.
Kelly	The Sprig.
Haddington	Mr. Tate.
Galloway	The Highwayman.
Lauderdale	Old Judge.
Kinnoul	Yeoman of Kent.
Loudon	Mrs. Barbier.
Stirling	C.
Elgin	c.
Southesk	The Noble Gentleman
Weems	The Butler.
Dalhousie	D.
Airlie	The Old Trooper.
Finlater	d.
Carnwath	E.
Leven	Spizzo Ferro.
Dysert	Sir John.
Panmure	Lord Timon.
Selkirk	Mr. Falconer.
Northesk	Signor Nicola.
Kincardin	Monsieur Tereen.
Balcarras	Mr. Sutton.
Forfar	The Poor Scholar.
Kilmarnock	Mr. Harrison.
Dundonald	Young Master.
Dumbarton	The Parson.
Kintore	The Old Toast.
Breadalbin	The Sexton.
Aberdeen	Parish Clerk.
Dunmore	Sir Peter Quince.
Orkney	The Husband.
Ruglen	Dr. Alexander.

March ..... e.
Marchmont ..... The Duellist.
Seafield ..... The Parrot.
Hyndford ..... F.
Cromarty ..... Mr. Isac.
Stair ..... Jack Cœsar.
Roseberry ..... The Dancing Master.
Bute ..... f.
Hopton ..... Sir Christopher.
Glasgow ..... Sir William Read.
De Lorrain ..... G.
Hay ..... Collonell Ratcliff.
V[iscount] Falkland ..... g.
Dumbar ....
Stormont ..... Small Coal.
Kenmure ..... Mr. Acorn.
Arbuthnot ..... Mr. Maitland.
Kingston ..... H.
Oxenford ..... h.
Irving ..... J.
Kilsyth ..... The Undersheri..
Newhaven ..... i.
Strathallen ..... K.
Garvock ..... k.
L[ord] Forbess ..... Lady Plenderguest.
Salton..... Fright Esqr.
Gray ..... L.
Ochiltree ..... l.
Cathcart..... Sly Boots.
Sinclair ..... M.
Mordington ..... Bargeman.
Semple ..... Deserter.
Elphinston..... m.
Oliphant..... Mr. Douglas.
Lovat ..... N.
Ross ..... Chaff.
Torphichen ..... Sir Joslin.
Lindores..... The Barber.
Balmerinoch ..... The Sherif.
Blantyre..... The Apprentice.
Cranston ..... The Nurse.
Matherdie (Madertie) ....
Dinguall ....
Burleigh..... Spanish Fryar.
Napier ..... n.
Fairfax ..... O.
Cramond ..... P.
Rae ..... The Fisherman.
Forrester ..... Monsieur l'Abbé.
Pitsligo ..... The Camisar.
Frazer ..... p.
Barganey ..... Q.

Bamf	q.
Elibank	Mr. Marshall.
Halkerton	R.
Belhaven	The Country Gentleman
Duffus	Sir Francis.
Rollo	r.
Colvill	Mr. Leveridge.
Rutherford	S.
Bellanden	Mr. Davis.
Newark	s.
Nairn	T.
Glasford	t.
Portmore	Sir James.

170.—A Satirical Poem—" Advise to a Painter."

Limner would you expose Albania's fate ?
Draw then a palace in a ruined state ;
Nettles and briers instead of flagrant flowers,
Sleet, hail and snow instead of gentle showers.
Instead of plenty all things meager look,
And into sword turn ploughirons, syth and hook.
Instead of guards you ravenous wolves must place,
And all the signs of government deface.
Instead of order, justice and good laws,
Let all appear confused like the first chaos.
Near to the palace one on every hand,
The ruins of two noble fabricks stand ;
A church where none but priest of Baal does stay ,
A court of justice filled with birds of prey.
With a bold pencil draw the great Argile,
In some respects the glory of this Isle.
Draw his intrepid heart and generous mind
Where nought that's base did ever harbour find.
But near him place his brother and display
With what base arts he leads his friends astray.
Give him an air that's sullen and morose ;
Still looking downwards, his dark mind expose.
Let Roxburgh next upon the canvass stand,
Supported by the vilest sordid band,
That ever did infest the wrecked land.
In proper colours paint his vicious mind
Which rules of honour never yet could bind ;
Where truth and justice banished far away,
Revenge and falshood bear the sovereign sway.
Limner, proceed, conspicuously expose
The chickenhearted narrow soul Montrose.
Show how he doth debase his noble line,
Which heretofore illustriously did shine.
Show how he makes himself a fool of state,
A slave to avarice and to his friends ungrate ;

Tweddale demands a place upon the stage,
Compos'd and learned, tho' scarce attained to age.
Time must determine how he will employ
The talents which he largely doth enjoy.
As from the morn the day is often guest,
He'l prove, I fear, a hawk like to the rest.
Queensberry next a station here doth claim.
Oh! how I tremble when I write that name.
Will he for what his father did atone,
Or will he in the selfsame course jog on?
To Stairs allow, as he deserves, much space
And round about him the Dalrymples place.
Describe how these their sovereign did betray,
And sell their nations' liberties away.
Let Haddintoun appear as is his due,
Among a rakish, unbelieving crew.
Near to him place no man who doth desire
To scape the vengeance of eternal fire.
Place Sutherland, Orkney, Lauderdale and Morton,
Rothes, Ross, Buchan, Belhaven, Bute and Hopton,
All closs together as a pack of tools,
And near to them another class of fools;
Where Douglass, Hyndford, Selkirk bear some sway,
And Lothian won't to Forrester give way.
But now reserve some place for Athol's Grace.
In any one of these two ranks him place.
Do not forget his visage to describe
And fill his breast with avarice and pride.
Near to him let his Grace of Gordon stand;
For these two Dukes may well go hand in hand;
And if you mount him on his Tuscan steed,
Pray leave him room to gallop off with speed.
Finlater surly will pretend some space,
For he ne're wants pretensions to a place;
For these a footman court his friends betray,
Engage at night and break his vows 'ere day;
Profound respect to every party pay.
A place apart to him assign you must,
For who'd be near to him whom none will trust.
If these will but reflect on what hath past,
Give anyone a stone that first will cast.
With these you may a canvass large supply,
And then to match them all the world defie."

Narrative about St. Fillan, (undated).

St. Fillan was one of the earliest missionaries who preached the gospel in Scotland. He was stationed in a beautiful valley in the Highlands of Perthshire near the source of the Tay called from his name to this day, Strath-Fillan, in the Bishoprick of Dunkeld, and now within the bounds of the Presbytery of that name.

This good man (for we shall allow him primitive sanctity) was in use to bathe in a deep pool of the river, about 1½ mile above his church, where the beach is fine and the water pure and limpid. At the middle of this pool, on the north side, there is a rock which projects into the pool so as to conceal the view of the east and west sides of the rock from each other and hide the people who bathe on each side of the rock from one another, unless they were to leave the shore and swim into the deep.

A veneration for St. Fillan, probably encouraged by his immediate successors in office at Strathfillan and promoted by the superstition of these rude ages, impressed the country people, far and near, with a belief that the pool of St. Fillan was a sovereign remedy for all diseases, even madness not excepted.

At present they repair to the pool of St. Fillan from the distance of 50 miles and upwards, and as they must all dip the very first day of a quarter, the cavalcade travelling to this place resembles a pilgrimage, or travelling to a fair. Those who are able to ride are mounted on horses, others are laid on carts; and those who are able walk on foot. In all directions these crowds of people increase as they advance and all the companies meet at the pool by daylight the first of the quarter, old stile. The women repair to one side of the rock, and the men to the other. Every one is anxious to get first into the consecrated water. After they are dipt over head and ears three times into the water, they dress and repair to a little distance where they go three times round three cairns or heaps of stones in the course of the apparent diurnal motion of the sun which is called DEISHEAL or going the right or lucky way. The superstition of so many ages has increaesd these heaps of stones to a considerable size, because every invalid must bring three small peebles from the beach of the holy pool and throw one into each heap, with a small particle of their body cloathes which they tear off for that purpose as an oblation to the saint. These who are deranged in their reason, besides all this operation of bathing, are tied hand and feet in the church the succeeding night. The doors are carefully locked, the windows are shut, the place is rendered as gloomy and horrible as possible. If they are found loose next morning their recovery is pronounced to be certain in a short time if not already compleated; but if they be found tied in the morning their cure is despaired of.

The pilgrims then return in companies to their own country and to their several homes, and both in their journey thither and homeward they are careful to drink of consecrated fountains where St. Fillan was accustomed in his peregrinations thro' the country to rest and drink water to allay his thirst; and frequently at the consecrated springs they leave as an offering a rag of their clothes, or if no better offer they deposit a twig of heath or the branch of a tree or shrub. At some of these fountains there is a cup of stone which has remained for ages, and no person covets it for fear of the displeasure of the saint. The springs are indeed the most select and the finest water, and generally face the north. They generally abound in cresses which is a sure sign of good water. So strongly is the superstitious veneration for this pool

rooted in the vulgar that notwithstanding every possible discouragement given by the neighbouring clergy the practice still continues.

There is no doubt but the change of air, the ride, and the force of imagination may have sometimes a good effect upon credulous invalids, and these recoveries, whether partial or total, are magnified into miracles and ascribed to the sanctity of the pool, and the virtues of the saint. This serves to keep the supersititon alive and promises to make it lasting.

In many places they have particular stones—one of them is in the possession of Mrs. Stewart of Advorlich—which they immerse into a quantity of water taken from one of these tiberts or consecrated springs. This water, impregnated with the virtues of the stone and the vessel containing it not being allowed to touch the earth, is sprinkled on cattle for certain diseases, and is believed to be a sovereign remedy.

INDEX.

A

Abbacies:
Haddington, 161.
Inchaffray, 130, 131.
Abbé, Monsieur l', 555.
Aberdeen:
Earl of, George, Chancellor of Scotland, 213, 214, 302, 305, 437, 438, 439, 538, 554.
bishop of, Adam, 4.
——, Alexander, 2, 3, 4, 6.
——, Andrew, 4.
——, Gavin, Clerk of Register, 13, 14.
——, Gilbert, Chancellor of Scotland, 7.
——, Henry, 4, 5, 6.
——, Hugh, 5.
——, William, 2.
bishop elect, William, Lord High Treasurer, 14.
bishop of, 219.
burgh of, 207, 255, 256, 262, 359, 419, 433, 508.
canon of, *see* Sir John of Mar.
church and canons of, 1.
commissaries of, 13.
dean of, Robert, 5;
see also Sir Walter de Coutre.
diocese of, 1.
friars minors, and captives of, 3.
King's College, at, 493.
the professor of mathematics there, 261.
provost of, 219.
vicar of, *see* William Prate.
Aberdeenshire, vii, 1, 2, 3, 360, 420, 482, 487.
sheriff of, *see* William Meldrum.
Abercairny, Lady, 41.
Abercorn, Earl of, 191, 320, 554.
Abercrombie (Abircrummy):
of Birkenbog, Alexander, elder, 10.
——. Alexander, younger, and . . . . Urquhart, his spouse, 10.
Alexander of, 4.
Doctor, 516.
J. signs, 224.
Robert, in Edinburgh, 31.
William, an Episcopal minister, 517.
Abergeldie, Laird of, 440.
lands of, 2.
Abernethy:
Lord, *see* Earls of Angus.
Alexander, 3.
Patrick, 2.
Patrick of, knight, 5.
William of, 2.
minister of, 542.
Abertarff (Obertarphe), 217.
Abroch of Glenco. John, 91.
Acheson:
Sir Archibald, bearer of letters to the King, 157, 161, 162.
John, master coiner, 28, 29; general of the Mint, 97.
Achindore, lordship of, 7.
Achmorly, lands of, 4.
Acorn, Mr. (cipher name), 555.
Acts of Parliament.
see Parliament.
Act of Security, 229, 239, 339, 356, 365, 378. 424.
for a Solemn League and Covenant, 200.
of Supremacy, 144.
Acutrie, John, Frenchman, and his wife, 18, 20.
Adles, Robert of, 4.
Admestown, *see* Edmonstone.
Admiral, Lord High, 253, 404, 418.
Admiral Depute, 246.
Admiralty, the 113, 246, 424.
Courts of, their fines, 180.
of England, 262.
Advocate, Lord, 74, 152, 162, 191n, 195, 217, 276, 277, 278, 279, 280, 283, 284, 285, 289, 293, 294, 309, 313, 404, 408, 411, 415, 420, 423, 430, 444, 460, 461, 470, 473, 474, 475, 477, 478, 482, 504.
——, his offices, 144.
——, makes a marriage, 413.
——, *see* Mr. Robert Crichton of Elliock; Sir William Oliphant.
Queen's, 246, 255, 262, 263, 272.
see Sir James Stewart.
Afferd, *see* Alford.
African Company, Indian and, xxvi, 259, 296, 337, 364, 365, 379, 380, 382, 383, 384, 385, 407.
Agnes, wife of Morgund, Earl of Mar, iii.
Aikman, Major, 501.
Aird, John, provost of Glasgow, 269, 398.

Airdess, Viscount, 365.
Airlie, Earl of, 554.
Airth, laird of, 44; slain, 246.
Aix la-Chapelle, xxvii, 498.
Alan, (Walter, son of), Justiciar of Scotland, 5.
Albania, 556.
Albany:
Duke of, Alexander, iv.
——, John, iv.
——, Robert, Earl of Fife and Menteith, 7.
Albemarle, Earl of, 225.
Alcantara, 260.
Alderman, the, (cipher name), 553.
Ale, 19, 259, 332, 333, 337, 343, 378, 419.
Alexander the Second, King, iii, v.
Alexander:
Sir William, Secretary, 168, 173, 174, 185.
Doctor, (cipher name), 554.
Alford, (Afferd): parish of, 7.
vicar of, *see* Sir Thomas Cant.
Algiers, 271.
Allan, Andrew, 501.
Harry, in Stirling, 544.
William, procurator, 501.
Allen, Bailie, of Stirling, 347.
Alloa, 431, 433, 471, 500.
letters, etc., dated there, 9, 109, 110, 152, 169, 219, 223, 274, 455.
skippers of, 487.
Alloa House, vi.
Almanie, *see* Germany.
Almanza, battle of, 388, 398, 417.
Alnwick, 244.
Alost, 276.
Altrie, Lord, *see* William, Earl of Marischal.
Alzira, 387.
Ambassadors, foreign, their doings in London in 1626, 149, 150.
American Colonies, 545.
Ammunition, 209, 212, 216.
in Stirling Castle, 35.
Almond, (Amont), signs, 197.
Amsterdam, 213.
Andree, David de, 3.
Andrew:
George, 502.
Sir, (cipher name), 554.
Andro, John, Clerk of the Privy Council, 45.
Anglesea, Lord, 484.
Angus:
Earl of, Thomas Stewart, (1356), 1, 2.
——, his son Malcolm, 4.
——, Archibald, Lord Douglas, 14.
——, Archibald, Lord Douglas and Abernethy, viii, 30, 31, 33, 34; Mrs. Marie Erskin, his future wife, 31.
——, William, 69, 88, 90, 116, 129, 147, 151.
——, his regiment, 389.
Angus—*continued.*
shire of, 194, 311, 432, 511.
sheriff of, 338; *see* Lord Northesk.
Anjou, (Anjew), Duke of, 277.
Annan, Viscount, 119, 122, 125.
Annandale:
Lord of, John, iv.
——, (Robert Bruce), v.
Earl of, John, (1624), 126, 132, 133, 145, 147.
Lord, 202, 203.
Marquis of, Secretary of State, and President of the Council, xxiii, 223, 235, 236, 237, 238, 244, 247, 249, 250, 251, 253, 268, 269, 271, 272, 277, 284, 285, 288, 290, 292, 293, 294, 296, 297, 300, 302, 304, 305, 308, 309, 311, 313, 314, 318, 321, 323, 324, 325, 327, 329, 330, 336, 338, 352, 353, 365, 421, 423, 481, 498, 554.
district of, 129, 337.
Anne, Queen, vi, vii, xxii, xxv, 230, *et passim* to 505.
her illness and death, xxvi, 504, 505.
letters from the Earl of Mar to her, 287, 385, 445, 449, 452, 456, 457, 458; her letters to him, 382, 453.
her letters to Parliament and encouragement of the Union, 284, 305, 313, 314, 315, 319, 320, 326, 329, 332, 341, 347, 351, 382, 383, 385, 389; other letters, 257, 429.
Anne of Denmark, Queen of King James the Sixth, ix, x, xii, 43, 47, 50, 51, 53, 59, 86, 118.
Anstruther, (Enster), Lord, 324, 436, 472.
Antelope, the, (cipher name), 553.
Antwerp, 225.
Apprentice, the, (cipher name), 555.
Aravlen, Raveline, 464, 465.
Arbitration, a dispute submitted to, 195.
Arbroath, (Arbrocht), abbacy of, 38.
abbot or lord of, Bernard, Chancellor, 3, 4.
St. Thomas of, church and monks of, 5, 6.
Arbuthnot:
Viscount, 555.
Doctor John, 370.
a servant, 351.
Ardgowen, 216.
Ardowy, lands of, 5.
Ardowyne, lands and mill of, 4.
Ardvorlick, Lairds of, elder and younger, 220.
Areskine, *see* Erskine.
Argyll:
Earl of, Colin, third, 13.
——, Archibald, fourth, vi.
——, Archibald, fifth, 17.
——, Colin, sixth, makes alliance with John, second Earl of Mar, 31, 32, 36.

Argyll—*continued.*
Earl of, Archibald, seventh, xii, 76, 84, 85; his second wife, 126.
——, Archibald, eighth, 200.
——, Archibald, ninth, xxi, 216, 208, 217.
Duke of, John, second, xxiii, 223, 232, 233, 246, 254, 256, 263, 267, 279, 281, 282, 284, 286, 287, 288, 289, 291, 299, 303, 306, 308, 311, 314, 321, 326, 340, 341, 352, 360, 367, 368, 370, 371, 372, 374, 419, 420, 463, 480, 487, 488, 499, 506, 513, 515, 516, 522, 526, 532, 533, 535, 553, 556.
——, his letters, etc., xxviii, 233, 263, 270, 463.
——, his uncle James, 463.
Argyleshire, 127, 509.
Argyle and Tarbet, sheriffdom of, 85.
Ariskin, *see* Erskine.
Armentien, 467.
Arminian tenets, 436.
Arms and weapons, stealing of, 500, 501.
Arms:
Dutch, 502, 503.
English, 502, 503.
Scots, 502, 503.
of Scotland, 24.
Armestrange, Master Gilbert, Canon of Aberdeen and Moray, 1.
Army:
Court of General Officers, 416.
Commanders-in-Chief of the, 416.
Cess for the, 317.
see also Military.
Arnistoun, Laird of, *see* Dundas.
Arnot:
Friar Michael, 528.
family of, 528.
Arran:
Earl of, 36, 37.
island of, 7.
Arroll, Lady, 285.
Arrolle, *see* Errol.
Artelle, the camp at, 267.
Articles, Committee of the, 218.
Artillery:
49, 196, 220.
master of the, 15, 172, 220.
in Stirling Castle, 34, 35.
Artois, 213.
Arundell, Earl of, Thomas, Marshall of England, 191n.
Assembly, General, *see* Church of Scotland.
Atchingort, lands of, 4.
Ath, siege of, 276.
Athlone, Lord, 226.
Athole:
Earl of, John, 17, (1567).
——, John, (1578), Chancellor, 31.
Marquis of, John, 219, 221.
Duke of, John, 231, 234, 235, 247, 276, 278, 284, 290, 298, 299, 300, 304, 305, 309, 313, 317, 323, 327, 328, 335, 339, 351, 356, 365, 409, 415, 431, 435, 437, 438, 441, 458,
Athole, Duke of, John—*continued.*
459, 476, 499, 503, 505, 553, 557; letters to and from him, 265, 431, 440, 443, 444, 455.
——, ——, his son William, 431.
Countess of, sends a jewel to Mary, Queen of Scots, vii, 24.
Episcopal clergy in, 265.
Attorney General, 406, 407, 411.
Auchinbreck, laird of, *see* Campbell.
Auchinfluirs, lands of, 119.
Auchinleck of Balmanno, Sir George, 151.
George, a witness, 31.
Auchmoutie, Acmoutie, (Akmoutie):
John, master of the wardrobe, 102, 125, 146.
Sanders, 136.
Auchterarder, 515.
Auchterhouse, Laird of, 460.
Auchtifardell, Laird of, elder, 256.
Auchtnegort, lands of, 3.
Audenburg, 466.
Augmentations, collecting of, 154.
Auleway, 7; *see* Alloa.
Austria, Over, 149.
Auverquerque, Monsieur d', 263, 267.
Ayr, (Aire):
Viscount, 111.
burgh of, 212, 216, 217.
presbytery of, 436.
shire of, 7, 211, 216.

B

Bagshot, 114.
Bailiaries:
water of Forth, 195.
lordship of Stirling, 195.
Bailiary, letters of, 14.
Bailie courts, holding of, 14.
Bailies:
of Dundee, 6.
of lands and lordship of Stirling, 14.
Baillie, (Beallie), of Lochend, Sir James, 94, 106, 122, 172, 174.
Lady Grisell, 391.
James, 79.
Mr., 461, 490.
Baking, 19.
Balcadlach, lands of, 2.
Balcairne, John, in France, 9.
Balcanquell, Mr. Walter, minister of Edinburgh, 46.
Balcarres, Earl of, 216, 238, 554.
Balcaskie, Lord, 219.
Balcomie, Margaret, 18.
Baldone, 483, 503.
Balfour, Colonel, 435.
George, 502.
Sir James, 17.
Sir William, 95, 106.
Balincreefe, lands of, 128.
Balindine, John, 17.

Balliol :
King John, 548.
Thomas of, 2.
Ballegarnie, Lady, 553.
Balmaghie, ministers there, 500.
Balmerino, (Balmerinoch), Lord, xi, 160, 161, 200, 290, 300, 437, 438, 510, 555.
lands of, 6.
Balmossy, Alan de, burgess of Dundee, and Alice Pot, his future spouse, 6.
Balnecrag, lands of, 6.
Balquhidder, 217.
Baltic, the, 262, 401.
Band, dissolving the Queen's marriage with Bothwell, etc., 17.
Banff, Lord, 556.
Banishment, 489.
Bank :
the, 541.
directors of the, 387.
Bank-notes, forging of, 489.
Banks, Robert, in Stirling, 544.
Bannerman of Elsick, Alexander, and Margaret Forbes, his wife, 10.
Banqueting, superfluous, 104, 105.
Barbadoes, 221.
Barber, the, (cipher name), 555.
Barbier, Mrs., (cipher name), 554.
Barcelona, 239, 260, 263, 418.
Barcheis, house of, 9.
Barclay :
Alexander, apothecary, 42.
Sir David, and Janet Keith, his wife, v.
William, 114.
Bargany, Lord, 555.
Bargeman, (cipher name), 555.
Barkis, lands of, 2.
Barle Duc, the Pretender's court there, 511.
Barnbougle, 254, 394.
Barnes, East, 114.
Barnet, 442.
Barons, in Parliament, 371, 373.
Barony of Foverne, 6.
Bastardies, 180.
Bateman, Mr., (cipher name), 553.
Bath :
Earl of, (William Pulteney), xxviii, 529, 531, 534, 536, 540.
town of, 268, 414.
Bathurst, Lord, 533.
Batons, in Parliament, 298, 301.
Bavaria, Duke of, 225, 226.
Baxter, John, baker, 502.
Bayonets, 503.
Bagonne, 398.
Bear, sign of the, 184.
Bearne, 92.
Beaufort, 545, 551.
Beaulieu, 90.
Beaumont, Sieur de, French Ambassador, xi, 52.
Beaver Castle, 87.
Bedford, Duke of, 533, 534.
Bedia, 239.
Bedmar, Bedmon, Marquis de, 225, 226.
Beef, 19, 358, 359, 361.
Beer, small, excise on, 259, 333, 337, 343.
Begne, Monsieur le, 553.
Beith, 217.
Belerdie, lands of, 6.
Belford, Captain, 211.
Belhaven, Lord, 292, 298, 300, 304, 306, 309, 312, 314, 316, 318, 319, 320, 322, 323, 325, 329, 330, 331, 335, 336, 337, 341, 346, 350, 351, 365, 366, 375, 378, 435, 439, 454, 503, 547, 556, 557 ;
his death, 454, 547.
Belhemoars, Lord, 224.
Bellenden of Auchnoull, Sir Lewis, Lord Justice Clerk, 41.
Bells :
one recast, in Holland, 207.
a peal of, to be supplied to Holyrood Church, 172.
Bellenden, Lord, 445, 556.
Belnabodach, 197.
Beltaw, the, 124.
Beltrees, Laird of, (Semple ?) 56.
Benefices, collectors of the thirds of, 64, 66.
presentations to, 181.
Beneventie, Count, 149.
Bennet :
James, stabler, 502.
Mr., 429.
Bergeck, 225.
Berlins, ships called, 317.
Bernard, Sir John, 545.
Berolf, and Malcolm, his son, 4.
Berridale, Lord, son of the Earl of Caithness, 117.
Berwick, (Barwik):
Duke of, 260, 398, 399, 465.
Lord Home of, 66.
bridge of, 397.
governor of, *see* Lord Hunsdon.
marshall of, *see* Sir William Drury.
town of, 26, 27, 80, 185, 404.
shire of, vii.
Bestial, traffic in, 74.
Billingham, Charles, 391.
Billighin :
Robert of, 3.
Simon of, 3.
Bindon, Earl of, 469.
Bing, Admiral Sir George, R.N., 432, 433.
Binnie, Mr. Charles, advocate, 502.
Binning, (Bening), Lord of, Secretary of Scotland, 75, 84.
Biscayner, the (cipher name), 554.
Bishops :
xi, 426.
privileges of, 76.
references to those appointed by King James VI, 60.
holding civil office, 315.
see also Clergy.
Bishoprics, rents of, 237, 257, 258, 281, 282, 387, 497.
Bisset, Sir Robert, knight, 3.

Black, (Blak), Mr. David, minister at Edinburgh, 46.
Mr., 366.
Blackadder, (Blaccakter), Captain, 501.
Blackfurd, Lady, *see* . . . . Keith.
Blackhall:
of that Ilk, John, and Marjory Strachan, his mother, 10.
William, burgess of Aberdeen, 10; Robert, his son, 10.
Blackness Castle, 214, 485.
Blackwood:
James, 501.
Sir Robert, 259.
Robert, merchant in Edinburgh, 501, 502.
Blaikie, James, merchant, 501.
Blair:
Mr. John, agent for the Kirk, 413.
John, 501.
J., provost of Dundee, 264.
Blair Athole, 440, 443, 444.
Blantyre:
Lord, 42, 64, 67, 555.
prior of, Walter, 36.
Blasphemy, penalty for, 211.
Blenheim, 388.
Blyth, Helen, a servant, 18.
Blythswood, laird of, 507.
Bochwaglach, lands of, 2.
Bohemia:
94.
Queen of, Princess Elizabeth, xviii.
Bohemians, the, 149.
Boig:
George, brewer, 18.
John, brother of George. *supra*, 18.
Boisimon, Sieur de, French Ambassador to Scotland, 200, 201.
Bolingbroke, Lord, 504, 514, 515, 516.
Bolton, Duke of, 532
Bommill, ... , 4.
Bonar, John, 5.
Bond:
of Alliance between Colin, Earl of Argyll, and John, second Earl of Mar, 31, 32.
of Assurance, 45.
Bo'ness, Borrowstownness, 395.
Bonnethill, 214.
Bonyetoun, lands and living of, 66.
Book of Rates, 98, 297, 301, 304.
Books:
references to special, xxvi, 519, 520, 542.
of the Acts of Parliament, 14.
of Privy Council, 52.
on the Union, *see* Union.
Boombey, Mr., Speaker voted for by the Tories, 237.
Borders:
The, xxiv, 48, 336, 345, 353, 528.
Commissioners on the, 138.
Borlum, laird of, 512.
Borselduce, 225.
Borthwick (Borthuik):
Lord, 12, 119.
Borthwick—*continued.*
. . . . , killed in the wars, 263.
Bosco, William de, 5.
Boswell, a person named, 205.
Botanic garden, a, 241.
Bothwell, Bothuile:
Earl of, his marriage with the Queen, 17.
Mr. Francis, provost of Edinburgh, 13.
Boufflers, Marshall, 468.
Bouillon, Duc du (Henry de la Tour), letter from him to the French King, xii, 91—93.
Bourbon:
House of, 539.
waters, the, 517.
Bouy, Sergeant, 146.
Bower:
Doctor, 307, 310.
Dr. Thomas, eligible for a professorship, 261.
Box, Mr., (cipher name), 554.
Boy, Jerome, 18, 20.
Boyd, Ninie, 263.
Boyer, Sir William, 90.
Boyle, Secretary, 441, 449, 459, 460, 475, 491.
Brabant, 213.
Braemar:
206, 220.
Castle, burned, 222.
the garrison of, 221.
parish of, 487.
Braidkirke, Brydkirk, Laird of, 102, 126.
Brandy, 260, 395; smuggled, 399, 400.
Bray, Doctor, (cipher name), 553.
Breach of promise case, 413.
Bread for the King's household, 19.
Breadalbane, Earl of, (1688,) 220, 221, 415, 503, 513, 554.
Brechin:
bishop of, Patrick, 2.
Henry of, 3.
David, 175.
. . . . , 91.
city of, 272.
lordship of, 59.
Breda, letters dated there, 224, 225, 226.
Bredie, George, student of law, 501.
Brewers, 213, 337;
their attitude towards the Union, 410, 411, 412, 414.
Brey, 225.
Bribery, case of, 300.
Brick, the, (cipher name), 554.
Bridges:
Sir Matthew, 224.
repair of, 208.
of Perth, 129.
Brisbane, Birsbane:
of Bishopton, Richard, 40.
William, in Barnhill, 38.
Brishen, Mr., 347.
Bristol, Castle of, iii.
Britain:
Council of, 438.

Britain—*continued.*
North and South, 419, 422, 426.
Parliament of, its constituents, etc., 315, 316, 321, 328, 329, 330, 342, 344, 349, 357, 358, 360, 361, 362, 365, 368, 370, 372, 373, 404, 408, 411, 412, 423, 426, 437, 448.
Brittle, Mr., (cipher name), 554.
Brodie, Brody:
laird of, younger, 502.
Captain, 244.
George, 244.
Brokkes, William, in the King's Chamber, 18.
Broncard, Sir Henry, 47, 48.
Broomhall, Broomie, 283, 284, 285, 294, 309, 321; *see* Sir Alexander Bruce.
Brown:
John, skipper of Burntisland, 128, 129.
William, in Edinburgh, his report on the coal trade, 212, 213.
Browning, Brounynge, Brwning, Adam, and John, his son, 4.
John, knight, 5.
Bruce, Robert the, King, *see* Robert the First, King.
Robert, Lord of Annandale, v.
of Airth, Sir Alexander, 45, 46.
of Auchinbowie, . . . , 246.
of Broomhall, Sir Alexander, claims the Earldom of Kincardine, 283, 284, 289, 481,
——, ——, his son Tom, 283.
of Bynning, Robert, elder, and James, his son, 36.
of Clackmannan, David, 8, 485.
——, Robert, 41, 47.
of Kennet, ... , younger, 502.
of Stenhouse, Sir William, 210.
Christian, sister of King Robert the First, iii, v.
Christian de, lady of the regality of Garioch, 2, 6.
George, 36.
Captain Henry, in service to the German Emperor, 149.
Sir Henry, Master of Artillery, 172.
James, brother of Robert B. of Clackmannan, 47.
J., signs, 224.
Janet, 42.
Patrick, 46.
Mr. Robert, minister of Edinburgh, 46, 49.
Robert, his slaughter, 45.
Mr. Thomas, 487.
Thomas, in Larbertsheills, and Patrick, his son, 44.
Sir William, 219, 435, 475, 476, 477; his nephew, Tom, 477.
Bruges, (Bridges), in Flanders, 6, 213, 466, 467, 468.
Brunthillis, the, 79.
Bruntill, *see* Burntisland.
Brussels:
213, 221.
Court of, 213.
Brux:
207.
laird of, 481.
Brycen, Alexander, 502.
Bryson, John, 501.
Buccleugh:
Earl of, xviii, 142, 182, 183, 184, 190.
Duke of, 553.
Buchan:
6, 205.
Earl of, (Alexander Comyn), iii.
——, Fergus, 5.
——, Robert, 32.
——, James (Erskine), son of the Earl of Mar, 86, 179.
——, David, 224, 256, 312, 318, 319, 320, 321, 336, 365, 366, 453, 470, 501, 502, 554, 557.
Lieut.-Colonel, 216.
Buchanan, (Buchquhanan):
of that Ilk, George, knight, 40.
Mr. George, tutor to the young King James, viii, 22, 30, 31.
Sir John, 109.
Thomas, 544.
Buck, the, 7.
Buckingham, (Bucks):
Duke of, George, xiii, xvii, 103, 110, 123, 124, 138, 139, 143.
——, John, 477, 483.
Countess of, 150.
Bucklebury, 417.
Bucquoy, Count, 149.
Building, 102.
Bullets, 503.
Bullion, *see* Coinage *and* Mint.
Buntine, Robert, 224.
Burgess ticket, a, 192, 193.
Burghly, J., 197, 200.
Burghs:
the, 360.
in Parliament, 371, 373.
royal, 246; commissioners for the, 314, 406, 420.
Burgundy:
Duke of, 226.
wine, 351.
Burleigh (Burley), Lord, 64, 555.
Burleigh on the Hill, 103.
Burnett, Sir Thomas, 404.
Burns, James, 501.
Burntisland, (Bruntill, Bruntilland), 80, 129, 262.
thieves hole at, 221.
Bursaries for theology, 369.
Burty, lands of, 2.
Buss, the, 224, 226.
Bute:
Earl of, (Sir James Stewart), 304, 324, 436, 437, 476, 555, 557.
Island of, 7, 217.
shire of, 436, 438.
Butler, the (cipher name), 554.
Butter, English and Irish, 234.
Buttergask, (Buthergask, Butirgaske):
Andrew of, 2.
John, 4.
Byris, ... , deceased, 5.

C

Cabinet Council, 424, 437, 439, 443, 450, 451, 456, 457, 475.
Cabrach, the, 7.
Cadogan, General, 465. 516.
Cæsar, Jack, (cipher name), 555.
Mr., 241.
Carncrosse, Robert, 82.
Cairns, Captain, 211.
Caithness:
246, 249.
Earl of, 117, 206, 554.
Bishop of, Robert, brother of Matthew, Earl of Lennox, 27, 31.
Calder:
of Aslowne, Alexander, 10.
laird of, *see* Campbell.
Calderona, Cardinal de, 149.
Calderwood's History, 522.
Calendar of Scottish State Papers, reference to, 22.
Callander, 80.
Callander of Maner, Robert, 17.
Calware, Secretary, 123.
Cambridge, Earl of, the title of, 320.
Cambuskenneth:
abbey of, 13.
abbot of, Alexander, 13.
——, Henry, 8.
commendator of, Adam, 32, 35, 40, 69.
Lady, 41.
Camera, William de, 2.
Cambroun:
Sir Hugh, 2.
John, 2.
Camerone, hospital of, 7.
Cameronians, 470.
Camilla, 270.
Camisar, the, (cipher name), 555.
Campbell:
Lord Archibald, brother of the Duke of Argyle, 284, 288, 289, 291, 295, 301, 303, 367; *see also* Islay, Earl of.
of Ardkinglas, James, 17.
of Auchinbreck, Dougal, 32.
——, ... , 220.
of Burnbank, Mr., 501,
of Caddell, John, 32.
of Calder, ... , 85.
of Glendaruel, Colin, 509.
of Glenorchy, Sir Duncan, 89, 107, 118, 119, 130, 147, 148, 509.
of Lawers, Sir James, 84, 85, 87, 117, 118, 119, 120, 128, 148.
——, James, 76.
of Lochnell, Archibald, 32.
of Loudoun, Sir George, and his daughter Isabella, vi.
of Lundie, ... , 85.
of Otter, Colin, 32.
Campbell—*continued.*
Archibald, brother of the laird of Lawers, 87.
A., signs, 224.
Brigadier, 518.
Captain, 270.
Colin, signs, 224.
Colonel, 350.
David, 282.
George, forester of the King's Park of Stirling, 14.
George, wright in Edinburgh, 549.
Hew, 502.
Sir James, 424, 509.
James, eldest son of the second marriage of the Earl of Argyle, 126.
J., signs, 224.
Lieutenant, 464.
Lady Margaret, daughter of Archibald, Earl of Argyle, vi.
Mary, widow of Lieut.-Colonel Fullerton, 389.
Campvere (Camphere), 213, 256.
Candle-light discussions in Parliament, 298.
Candles, 19.
Cannon, two broken, in Edinburgh Castle, 172.
Canongate, 181, 216, 259, 411.
bailies of the, 259.
Canons:
of the church of Aberdeen, 1.
of Monymusk, 1.
Cant:
Sir Adam, vicar of Mygvey, 1.
Sir Andrew, prior of Monymusk, 2.
Sir Thomas, vicar of Alford, 1.
Cantemir, Prince, 551.
Canterbury, Archbishop of, 370.
Capendavie, *see* Kippendavie.
Capital punishment, 489.
Capons, 19.
Caprintown, W. (Cunningham), signs, 197
Captains, orders for, 210.
Captives of Aberdeen, 3.
Car, *see* Ker.
Carden, Laird of, 444, 476.
Cardinal:
Duca, 149.
the, (Prince Henry, Cardinal York) 544.
Cardnes, lands of, 119.
Cardross, Lord, David, xiii.
Carlisle, Carlile:
80, 249, 250.
Earl of, 139, 143, 187, 191n.
Carlyll, William, 502.
Carmichael:
of Medoflat, Sir John, 69, 95, 116.
Sir Hew, 89.
William, 272.
Carnegie:
Lord, 137.
Mr., 506.
Carnifex, Uridini, bailie of Dundee, 6.
Carnwath, Earl of, 271, 554.
Caron, Carron, Captain, 275, 276, 285, 286, 292.

Carrick :
Countess of, Marjory, v.
earldom of, 7.
Carridden, Provost Milne of, 219.
Carstares, Rev. William, 248, 297, 315, 437, 439, 461, 477, 483, 484, 498, 499 ; letters to and from him, 241, 250, 255, 261, 388, 435 ; moderator of assembly, 438.
Carteret, Lord, 532, 533, 536, 539.
Carthage, 403.
Carthagena, 351.
Caskiben, lord of, *see* James of Garioch, *and* John of Garioch.
Cassillis :
Earl of, Gilbert, 13.
——, Gilbert, 17.
——, John, 200.
Earl of, 554.
Casslachie, the, of Poland, 149.
Castiglione, Marquis de, 418.
Castles :
the King's Scottish, their reparation, 78, 82, 86.
and garrisons, 212.
of Dumbarton, 7.
Castle Grant, 493.
Casualties :
account of, 179—181.
of wards, nonentry and marriages of heirs, 163, 168.
Catalonia, 419, 499.
Catanach, Donald, 197.
Cathcart, Lord, 555.
Cattle, 359.
Cavalier party, the, 438.
Cavers, Lord of, *see* Thomas, Earl of Mar.
Cavertoun, Lord, *see* Roxburgh, Earls of.
Cawbraith, James, pantryman, 18, 20.
Cecil, Secretary, 22n, 27n, 30n.
Cess Acts, 229, 234, 235, 310, 314, 316, 317, 326.
Cessfurd, Lord, *see* Roxburgh, Earls of.
Cesnock, Lord, a Lord of Session, 415.
Centa, siege of, 466.
Chaff, (cipher name), 555.
Chalmer, Mr. David, Chancellor of Ross, 17.
Chalmers :
of Gadgirth, J., 197.
James, burgess of Aberdeen, 10.
Mr., minister of Kilwinning, 517.
Chamberlain :
Lord, of England, 191n.
of Scotland, *see* Thomas, Earl of Angus.
of H.M. Household, 389, 392.
Ayres, their fines, 180.
Chamberlainry of Fife, 394.
Chambers, *see* Camera.
Chancellors of Scotland :
see Bernard, lord of Arbroath ;
James, archbishop of St. Andrews ;
Gilbert, bishop of Aberdeen ;
John, archbishop of St. Andrews ;
John, Lord Thirlstane ;
Alexander, Earl of Dunfermline ;
Chancellors of Scotland—*continued.*
Sir George Hay of Kinfauns ;
John, Earl of Loudoun ;
John, Duke of Rothes ;
George, Earl of Aberdeen ;
James, Earl of Perth ;
John, Earl of Athole ;
James, Earl of Seafield.
Chancellor :
of England, 53, 232, 396, 533, 540, 541.
of Great Britain, 392, 407.
Chancery :
Director of, the office of, xvii, 143, 175 ; *see* Sir John Scott of Scotstarvet.
Dues in, 517.
Chapel Royal, 121.
Charles the First, King :
as Prince and Steward of Scotland, ix, 7, 86, 109, 122, 123, 124, 128 ;
becomes Lord of Dunfermline, xii ;
his marriage, xi, xiii, 74, 75.
as King, vii, 378, 390, 426, 510, 520, 524, 530.
his Coronation day, 149.
his Coronation in Scotland, 174, 176.
his act of Revocation, xvi, xviii, 135, 139, 140, 141, 146, 152.
his relations with his Privy Council, 145, 146, 198n, 201.
his disposal of the Lords of Session, *see* Session.
his conferences with the Earl of Mar and other Privy Councillors, 133—146.
his holding of property in Scotland, 140.
his policy towards Scotland, xiv—xviii, 199.
his Parliament in Scotland, 174, 176.
his English Parliament craves redress of grievances, 201.
submissions made to him by certain noblemen, 160—162.
references to his proposed visit to Scotland in 1633, 168, 172, 176.
the education of his children, 201.
references to plots against his person and family, 182, 183—191.
his movements during the Civil War, 204.
his imprisonment and execution, xx.
his character, 133, 145.
a prediction of the troubles following his reign, 198.
precepts and warrants by him, 131.
letters from him to John, Lord Erskine, 175.
——, to John, seventh Earl of Mar, 130, 147, 157, 162, 172, 173.
——, to John, eighth Earl of Mar, 196, 199.
——, to members of the Privy Council, 169, 195.

Charles the First, King—*continued*
letters to the Lords of Exchequer, 163, 176, 193.
——, to the Lords of Session, 146, 147, 171.
——, to various persons, 147, 170, 195.
letters to him from John, seventh Earl of Mar, 133, 151, 153, 155, 156, 157, 163, 168, 169, 174.
——, from John, eighth Earl of Mar, 196.
——, from others, 160—162.
Charles the Second, King:
during the Commonwealth period, 205, 206.
on the Continent, 221.
other references, xx, 198, 237, 390, 403, 485, 510.
letters from him, 207, 210, 211.
Charles III of Spain, King, 296.
Charters, Charles, shipmaster, 260.
Chaseworth, 24.
Cheese, 208.
Chene, Sir Reginald, and his son, Sir Reginald, 3, 4.
Chester, Bishop of, iii.
Chesterfield, Earl of, 532, 533, 536.
Chevalier, St. George, xxvii, 511—518, 521; *see* also King James the Eighth.
his Queen, Clementina, xxvii, 516, 518, 520, 521, 528.
Chickens, 19.
Child, the, (cipher name), 553.
Cholmondeley, George, Earl of, 533.
Christie, Henry, in Stirling, 544.
Christmas vacations, 497, 498, 499
Christopher, Sir, (cipher name), 555.
Church of Scotland:
its attitude towards the Union of 1707, xxiv, 274, 278, 279, 281, 283, 290, 294, 298, 301, 302, 309, 310, 313, 315, 318, 320, 322, 325, 335, 340, 342, 344, 345, 351, 356, 370, 386, 387, 388, 389, 391, 397, 420, 421, 422, 426, 434, 435, 436, 437, 438, 439, 483, 484, 497, 498, 506, 507, 510, 543.
its affairs after the Union, 520, 521, 530, 531, 541, 542.
and the Jacobite insurrection of 1715, 513.
meetings of the General Assembly, 200, 201, 206, 241, 248, 257, 258, 381, 387, 388, 391, 435, 436, 437, 482, 497, 498, 510, 519, 531, 542.
the Queen's letters and their replies, 257, 381, 383, 386, 388, 437, 438, 439.
commissioners to the, 248, 249, 250, 256, 381, 383, 499, 510.
moderators of, 388, 391, 437, 438; *see* Mr. John Stirling, *and* Rev. William Carstares.
General Assembly commissions, 274, 281, 290, 293, 294, 296, 304, 309, 314, 315, 317, 320, 351, 356, 530, 531.
Church of Scotland—*continued.*
their agent, 413.
cases, 175.
government, 201, 261, 388, 426
grievances, 46.
ministers and bursaries for theology, 369.
nonconformity of Papists to the professed religion, 62, 65, 123.
planting of churches in the Highlands and Islands, 257.
procurator of the, pensioned, 89.
provincial synod of Fife, 438.
rolls of excommunicants, 180.
Toleration Bill, 483, 497.
Church:
Act, the, 314, 317, 318, 326, 356, 365, 366.
lands, 378; erections of, 160—162.
rolls, prove the number of bastards born yearly, 180.
Church of England:
102, 527.
security of the, 370.
Cipher:
an amusing, xxviii.
key to a, 553—556.
letters in, 53.
Circuit Courts, 169, 423, 424, 469—473, 474, 482.
Civil List, (1707), 425.
servants, their fees and salaries, 100, 101.
War, 197—206.
Clackmannan:
521.
minister there, xxviii, 521.
shire of, vii, 197, 206, 208.
Lady, 41.
Claim of Right, 238, 304, 305, 308.
Clan Gregor, fines for their reset, 75.
Clarendon, Lord, 507.
Clark, William, tenant in Stenhouse, and his son Thomas, 210.
Claverhouse, Laird of, *see* Graham.
Clelland:
Captain, 216, 387.
Major, 521.
a person, 240.
Clementina, Queen, *see* Chevalier.
Clepen, Monsieur, 520.
Clephane, Captain, 252.
Clergy:
their grievances at the time of the Union, 249, 257, 258, 260, 269, 387, 421, 506, 507.
Clerk:
of Penicuik, Sir John, (Baron Clerk), 240, 398, 404.
Doctor, 546.
Mr., a Commissioner for the Treaty of Union, 322.
of Advise, 33.
of Register, 33, 34, 74, 79, 102, 387; *see* also Sir John Hamilton.
——, his offices, 144.
his salary, 101.
Cleychok, lands of, 6.
Clinch, Mr., (cipher name), 554.

Clokhok, lands of, 5.
Clontarf, battle of, iii.
Clothing :
supplied to Lord Erskine, 67.
and apparel, 104, 105.
Cloths, 72.
Cloudslie, Sir, 295.
Cluny, laird of, 552, 553.
Clyde, Firth of, v, xxi, 432.
Clydesdale :
216.
sheriff of, 363.
Coals :
19, 72.
export of, xxi, 213.
Newcastle, 213.
Scotch, 213.
small, 555.
Coalworks, 208.
Coast defences, 410.
Cobham :
Lord, 55, 532.
Cochrane :
Lord, 216.
of Kilmaronock, Mr., 409, 411.
Lady Mary, her claims to the earldom of Kincardine, 283, 284.
Cockburn :
of Clerkington, Sir Richard, Secretary, 38, 44.
of Ormiston, Adam, Lord Justice Clerk, 248, 251, 256, 270, 271, 273, 284, 290, 296, 297, 306, 308, 313, 315, 319, 340, 367, 372, 373, 379, 408, 417, 420, 450, 472, 478.
Dame Agnes, widow of William Murray of Touchadam, and wife of Sir James Forrester of Garden, 8, 9.
J., signs, 43, 67.
S. R., signs, 67.
Mr., 429, 444, 476.
Mr., Episcopal minister, 507.
Cockpitt, the, 275, 478, 479, 488, 494.
Cockstoune, laird of, 219.
Cocoanut, 395.
Cod fisheries, 403.
Coinage, matters relating to, xii, xxvi, 97, 98, 364, 379, 380, 381, 385, 386, 387, 398, 401, 402, 404, 407, 408, 422.
Coins, foreign, called duckadowns and dollars, 401.
half-merk pieces, and forty-penny pieces, 28.
see also Mint.
Coiner, Master, *see* John Acheson.
Coldinghame, Lord of, deceased, and Christian Stewart, his daughter, 18, 19.
Coldstream, erection of, 161.
Collector, office of, 154.
Collectors of the thirds of benefices, 64, 66.
Colquhoun (Culquwne) :
of Camstrodane, Robert, and John and Alexander, his sons, 38.
of Luss, Umphra, 38.
Colquhoun (Colquwne)—*continued.*
Humphrey of 7.
James, a servant, 38.
John, brother of Umphra C. of Luss, 38.
Peter Mcloth, 38.
Colonels :
orders for, 210.
of horse, their orders, 206.
Colours, the, 210.
Colt, Major, 483.
Colville (Colvin) :
Lord, 436, 556.
of East Wemyss, James, 40.
Michael, in Stenhouse, 210.
Mr. William, minister at Edinburgh, xx, 205.
Commander-in-Chief of the forces in Scotland, 246, 247, 418 ; *see* Linlithgow, Earl of.
Commerce, Scottish produce exported, 70—74.
Commissariots, the, 64.
Commissary of Stirling, 194.
Commission, Courts of, their fines, 180.
Commissioner :
King's, to Parliament, 514.
Lord High, during the Union, of 1707, 230, 233—237, *et passim* to 257, 272, 277, 279, 280, 282, 283, 284. 285, 287, 288, 289, 291, 293, 294, 296, 298, 299, 300, 303, 306, 307, 308, 313, 319, 321, 322, 323, 326, 327, 328, 331, 333, 335, 338, 339, 341, 342, 345, 346, 351, 355, 360, 361, 363, 364, 366, 368, 369, 371, 372, 373, 374, 375, 376, 377, 378, 379, 381, 383, 384, 385;
his expenses at the Treaty negotiations, 367 ; *see* Queensberry, Duke of.
Commissioners for the Union, 235, 240. 248, 251, 254, 255, 322.
Commissions :
for the grievances, 139, 141.
of Exchequer or Treasury, 131, 132, 139, 141, 153—156.
Committee of Estates :
grant warrants, 197, 206.
their act for a Solemn League and Covenant, 200.
letters to them, 202, 203.
orders by them, 206.
Committee :
of Glasgow, 202, 203.
of Processes and Money, 203.
Commons, House of, 201, 211.
Commonwealth period, xx, 221.
Communion, occasional, 227.
Company :
the Indian and African, 259.
Darien, 399.
Compiegne, in France, 23.
Compositions, in Exchequer, 181.
Comptroller, the, 11, 17, 31 ;
office of, 154.
Comyn :
Alexander, Earl of Buchan, and Elizabeth, his daughter, iii.

Comyn, Elizabeth, iv.
Condie, Prince of, his daughter's marriage, 148.
Conferences :
between Mar and others and King James the Sixth, 101 ;
between them and King Charles the First, 133—146.
at Whitehall, xi, xiv.
Confession of Faith, 218.
Coningsbie, Lord, 424, 484.
Connaught, the plantation of, 193, 194.
Conowey, Edward, Viscount, 123.
Conservator :
the Scottish, 180, 421 ; *see* Sir Andrew Kennedy.
at Campvere, 213.
Constable :
Lord High, of England, *see* Robert, Earl of Linsey.
High, of Scotland, 298, 301, 327, *see* William, Earl of Errol ; Gilbert, Lord Hay.
of Dundee, *see* Scrymgeour.
Consuls, English, in Flanders, 213.
Conventicles, field, 208, 210.
Convention of Estates, *see* Paraliment.
Cook, Colonel, 285 ; *see* Hook.
Coquets :
98, 396, 397, 400.
Corgarf, 197 ; Castle of, burned, 222.
Corn riots, 547.
Coronation :
of King Charles the First in Scotland, in 1633, 174, 176.
——, in England, 149.
Oath, 294.
Corse, Mr., writer, 426.
Corstorphine, Laird of, 46.
Cotton :
Sir Robert, 170.
R., Postmaster General, 418.
Couborne, Lieut.-General, 225.
Coulter, Laird of, (? Menzies) 232.
Council :
Lords of, 13.
Privy, *see* Privy Council.
of War, 211.
Councils, general, their fines, 180.
Country Gentleman, the, (cipher name) 556.
Coupar :
223.
abbot of, *see* Sir Andrew Ruthven.
Couper, Lord, made Chancellor of Great Britain, 392.
Courant, the, 397, 428.
Courts :
circuit, *see* Circuit Courts.
criminal, 481.
of Commission, and other courts, their fines, 180.
justice, 129.
steward, 130.
warden, 130.
of law, 201.
Coutre, Sir Walter de, dean of Aberdeen, 3.
Couttis of Auchtircoule, ... , 10.
Coutts, (Cuts, Kuts), Colonel and Major, 224, 488.
Couts, Tom, 326.
Cowtis, William of, 1.
Covenanters :
xxi.
the persecution of, 208, 210, 212, 216, 220.
Covenants, National and Solemn League, 273, 274, 315, 340, 520, 542.
Coventrye, T., signs depositions, 187, 191n.
Cow, damages claimed for theft of one, 517.
Cowall, lands of, 7.
Cowpland, George, divinity student, 502.
Crabdele, Sir John of, Doctor of Decreets, and Canon of Ross, 2.
Crabe, John, burgess of Aberdeen, and John, his son, 2.
Cragbowy, lands of, in Garioch, 4.
Craig :
Hew, 502.
William, 502.
Craigie, John, professor in St. Andrews, 347.
Craigingelt of that Ilk, John, provost of Stirling, 17.
Crail, parson of, *see* Doctor John Douglas.
Cramond, Lord, 555.
Cranbourne, 121.
Cranston, Lord, 555.
Crawford, (Crafurd, Craufurde) :
Earl of, David (Lindsay), 7, 17, 31, 118.
Earl of, Colin, 318, 366, 375, 376, 449, 451, 452, 453, 554.
Captain of, 69.
Sir Gillfryd de, 6.
Matthew, 22n.
. . . . , a servant, 327.
Crawford Lindsay, teinds of, 69.
Crichton (Creichtoun) :
of Cranston Riddell, Patrick, 8.
of Eliok, Mr. Robert, King's Advocate, 36.
of Sanquhar, Sir Robert, and his daughter Christian, vi.
Thomas, 501.
Crockat, Bailie William, 550.
Croft of Knocklachey, William, deceased, 5 ; his son Reginald, 5.
Crofton, an author, 519.
Crofts, Mrs., 178.
Cromar, lands of, 191.
Cromarty :
Earl of, George, 231, 249, 273, 278, 279, 283, 285, 291, 305, 316, 319, 336, 357, 360, 363, 453, 469, 472, 475, 555.
——, letters by and to him, 238, 239, 242, 257, 258, 268, 392, 395, 402, 482.
Crombdale, (Crombdele) :
Sir John of, canon of Ross, 3
Sir John, rector of Turrich, 3,

Cromwell, Oliver, xx, 198 ;
movements of his army, 204, 206.
Crossrig, Lord, 386.
Crown :
the, 300.
lands, the feuing of, 191, 378.
property in Scotland, 254.
Crowns, Union of the, in 1603, ix, x.
Cruikshank, George, bailie of Aberdeen, 262.
Crummy, Elspeth, seamster, 42.
Jean, 18.
Crust, lord of, William, 4.
Culdees, 5.
Culquhannie, laird of, 197.
Culquharrie, laird of, 198.
Culquorks, lands of, 2.
Culquwne, *see* Colquhoun.
Culross :
minister of, 501, 502.
monastery of, the lands and churches thereof, 8.
Culsalmond, minister of, *see* Mr. George Leith.
Cumbrays, islands of, 7.
Cumming, Sir Alexander, 421.
Cunningham, Cunnyngame :
of Drumquhassill, John (James), appointed master of household to the infant King, 18, 20, 22, 41.
of Polmais, Alexander, 8.
——, James, 8.
——, William, 40, 41.
Sir D., 309.
James, 24, 25.
Sir John, 214.
Margaret, 42.
Walter, forester of the King's park of Stirling, 14.
William, 224.
barony of, 7.
Cunziehouse, *see* Coin and Mint.
Cupar, thieves' hole at, 221.
Curgarffe, 197.
Customs :
the, 81, 82, 98, 99, 105, 132.
evasion of the, 395, 397, 399, 400, 408, 412.
Acts, 297, 333, 343, 358, 379, 380, 389, 391, 392, 394, 395, 409, 412.
Board of, 405, 406, 407, 409, 412, 419.
houses, 487 ; at Port Glasgow, 398.
officers, 98, 99, 105, 180.
tacksmen of the, 260.

D

Dalhousie, Earl of, 445, 453, 471, 554.
Dalkeith :
38, 210.
Lord of, *see* Earls of Morton.
Dalmahoy, son-in-law to John, Archbishop of Glasgow, 387.
Dalnotters, lands of, 32.
Dalrymple :
Viscount, John, second, xxii, 239, 260, 267, 276, 280.
Sir David, Lord Advocate, 240, 272, 346, 351, 361, 404, 408, 410, 429, 461, 477, 478, 481.
George, 308.
Sir James, 272.
Mr. William, 477.
family of, 267, 557.
Dalton, parish of, 249.
Dalziel, Dalzell, Dayell :
General Thomas, Lieutenant-General of the forces, xxi, 211, 214, 216.
Sir Robert, 142.
Dancing Master, the, (cipher name), 555.
Danes, the, iii, 239.
Dantzic, 262.
Danyelstoun :
Patrick of, 7.
Mr. Walter of, 7.
Darien Company, 399.
Darling, Mr. Andrew, minister at Kinnoul, xxviii, 524.
Darlington, 460.
Darn, Davies, 501.
Darnley, Lord, Henry, 16, 17, *see* Lennox, Earls of.
David the First, King, iii.
David the Second, King, iv.
Davidson :
of Ardmacron, Alexander, and his son, 10.
James, soldier, 211.
William, 501.
Davis, Mr., (cipher name), 556.
Deans, family of, 529.
Decreets, Doctor of, *see* Sir John of Crombdale.
Deer, (Deir), abbot of, Robert, 6.
Deer :
references to, 195 ; red deer, 119.
forests, 147, 148, *see* Glenalmond.
Defoe, Daniel, 292, 322.
Delblakboggis, (Delharboggis), lands of, 3.
De Lorrain, Earl, 277, 555.
Delpholly, Laird of, 486.
Denbigh (Denbey), Earl of, Thomas, Lord Treasurer of England, 211.
Dendermonde, siege of, 276.
Denmark :
9, 187, 204, 540.
House, 195.
King of, 178.
Deserter, (cipher name), 555.
De-thicke, Mr., macebearer, 191n.
Devonshire, Duke of, 487.
Dick, William, 117.
Dickson, Diksone :
G., clerk, 193.
Sir Robert, 273.
William, writer, 502.
Didhop, (Diddup), *see* Dudhope.

Digby, (Dikby), Lord, 93.
Dilke, Sir Thomas, R.N., 418, 419.
Dingwall, Lord, 555.
Dirleton, laird of, 273, 503.
Dischingtoune, Sir Thomas, 84.
Dispensations for marriage, 8, 9.
Dissenters, toleration for, in England, 269.
Dixmuyde, 213.
Dogs:
terriers or earth dogs, 127.
for the King, 81.
Dollars:
circulation of, 97, 98,
foreign, 401.
Dona, Count, 388.
Donald, Earl of Mar, iii, v.
Donaldson, James, 502.
Donyng of Wester Crieff, Alexander, 131.
Dorset, Earl of, Edward, custodian of the Prince, son of King Charles I, 186, 187, 191n.
Doug, Jamie Graham, 551.
Douglas:
Earl of, William, and his wife Margaret, iv, 2.
Marquis of, James, second, 208, 219.
Duke of, Archibald, 553, 557.
Lord, *see* Angus, Earls of.
Lord Charles, 301.
of Kilspindie, Sir Archibald, Treasurer, 11.
of Lochleven, Robert, 8.
——, William, 32.
Captain, xviii, 185, 211.
Dame Elizabeth, Countess of Mar, 151.
Lady Elizabeth, daughter of James, Earl of Morton, vi.
Sir George, 50.
Isabella, (Countess of Mar), daughter of Countess Margaret, iv, v.
Colonel James, 211.
James, a witness, 137.
Doctor John, parson of Crail, 175.
J., 132.
Lieut.-Colonel, 404.
L. G., 219.
Robert, servitor to the Earl of Angus, 151.
Mr., (cipher name), 555.
place of, 350.
and Mar, Earl of, James, iv.
——, ——, William, 5.
——, earldom of, iv.
Douglas, ship called the, 296.
Doune:
Lady, 520.
Castle of, in Menteith, 47.
Doves, 19.
Downs, the, 428.
Dragoons, 216, 346, 350, 404.
Drawbacks, the, 310, 313, 316, 332, 344, 357, 358, 359, 360, 361.
Dromyne, lands of, 4.
Drowning accidents, 397.
Drumcairne, Lord, 219.
Drumfries, *see* Dumfries.
Drumketht, Edward of, 5.
lands of, 5.
Drumlanrig:
Lord, 216.
laird of, 121, 125.
the King at, 80.
Drummalachie, Wester, lands of, 2.
Drumelzier, Laird of, 419.
Drummond:
Lord, Patrick, 40.
——, James, 415, 434, 443, 444.
Lord Edward, 516.
Lord John, 513.
of Carrivahter, P., 131.
of Galdwalmoir, Patrick, 131.
of Mylnab, J., fiar, 131.
A., 224.
David, deceased, servant to the King, 128.
Mr. Edward, 47, 48.
Sir George, 219.
John, 532.
L. G., 219.
Sir Malcolm, Lord of Mar, iv.
Lieut.-General William, Master of Ordnance, 212.
place of, 219.
Drummore, Lord, 532, 548.
Drumrossy, lands of, 4.
Drury, Sir William, Marshall of Berwick, 24, 25, 27, 28.
Dryburgh:
abbacy of, 69.
Commendator of, David, 32, 35, 40, *see* David Erskine.
Dublin, 194.
Duckadowns (foreign coin), 401.
Ducke, Doctor, 191n.
Dudhope, (Diddup, Didhop):
Lady, 41.
Laird of, *see* Scrimgeour.
house and park of, 214.
Duelling, cases of, 191n, 234.
Duellist, the, (cipher name), 555.
Duffus:
Lord, 311, 556.
Robert, 501.
Dumbarton:
Earl of, 216, 217, 220, 554.
castle of, 7, 86, 114, 130, 182, 185, 214, 215, 238.
town of, 7, 288, 318.
provost of, 219.
shire of, 197, 206.
Dumbarton's regiment, 359.
Dumbrek, Philip of, 6.
Dumbritayne, *see* Dumbarton.
Dumfries:
80, 216, 332, 337, 340, 520.
Earl of, 212.
justice courts there, 127, 129.
magistrates of, 483.
presbytery and synod of, 436.
riots against the Union, xxv.
Dun of Ratie, ... , 10.
Dunbar, Dounbar:
461; castle of, 14.

Dunbar, Dounbar—*continued.*
Earl of, George, Lord Home of Berwick, Treasurer, xi, 60, 61, 63, 64, 65, 66.
Viscount, 555.
of Hemprigs, Sir James, younger, 470, 485, 486, 487, 488.
. . . . , wife of George Leith of Overhall, 10.
Dunblane:
212, 514.
bishop of, 90.
diocese of, 8.
Dunbretane, *see* Dumbarton.
Dundas:
of Arniston, , . . . , 244.
Doctor, 476.
Mr., 531, 536, 538.
Dundee:
34, 80, 81, 214, 264, 247,
Earl of, 214.
——, the title sought by Lord Archibald Campbell, 303.
bailies of, *see* Uridini Carnifex, William Keith, Robert Scot.
clerk of, 38.
lands in, 6.
meeting house there, 261.
ministers of, 260.
provost of, 219, 264.
Dundonald, Earl of, 219, 523, 554.
Dunfermline, Dumfermling:
80, 122.
Lord, 23.
Earl of, Alexander, Chancellor of Scotland, 31, 32, 60, 67, 74, 75, 77, 85, 90, 99,
——, Charles, 200.
abbacy of, 38.
kirk of, 530.
lordship of, xii, 86, 129.
provost of, 219.
Dunglas:
80.
castle of, xviii.
Dunipace, laird of, 45, 102, 107.
Dunkeld:
265, 431.
bishop of, William, 4.
——, ... , 82.
——, Alexander, 175.
bishopric of, 38, 83, 557.
presbytery of, 557.
subdean of, *see* Mr. Alexander Erskine.
Dunkesoun, John, minister, 18, 20.
Dunkirk, 233, 267, 428, 503.
Dunkirk, the, H.M. ship, called 418.
Dunlop, Mrs., sister of Rev. William Carstares, 241.
Dunmore, Earl of, 283, 554.
Dunnottar, 137.
Dunrobin, 554.
Dupplin:
Viscount of, George, 171, 181.
——, Thomas, 224, 232, 242, 319, 363, 371, 374, 376, 377, 477.
battle of, iv.
House, 232.
Durham, 237.
Durie, Laird of, 223.
Durnachehell Lethim, territory of, 3.
Durward, Alan, usher to the King, 5.
Dutch:
the, 224, 239, 354, 388, 403, 484.
arms, 502, 503.
garrisons, 267, 276.
ships, 246, 249, 419.
troops, 515, 516.
Dyer, Mr., 488.
Dysart:
256.
Earl of, 554.

E

Eaglesfield, Mr., in the Strand, 311.
Eastern trade, 262.
Ecclin, General, 516.
Echt, Laird of, (Forbes) 508.
Edgar:
Archibald, 502.
Edward, signs, 197.
Edzell (Edyell, Edgyell):
laird of, 143, *see* Lindsay.
Edinburgh:
city of, xix, xxi, xxiii, xxiv, xxv, 36, 39, 43, 46, 49, 78, 85, 103, 105, 106, 137, 155, 160, 161, 171, 212, 216, 222, 224, 245, 246, 253, 277, 290, 301, 358, 386, 402, 407, 412, 417, 418, 420, 430, 432, 433, 444, 450, 451, 460, 461, 471, 472, 473, 485, 499, 500, 503, 509, 510, 512, 529, 534, 542, 546, 547.
attitude of the townspeople towards the Union of 1707, xxv, 293, 296, 298, 299, 300, 305, 310, 313, 316, 328, 329, 350, 399, 447, 448.
bailies of, 125.
the churches visited, 250.
the King at, 80.
their tax upon ale and beer, 259.
letters, etc., dated there, 8, 11, 12, 13, 14, 15, 16, 22, 23, 24, 31, 36, 46, 60, 67, 104, 162, 172, 175, 194, 197, 200, 205, 207, 208, 210, 211, 216, 220, 222, 227, 233, 234, 235—238, 241, 242, 246, 249, 250, 255, 256, 257—262, 267, 269—271, 273, 278, 280—283, 287—289, 292, 293, 296, 297, 301, 303, 308, 312, 315, 317, 318, 321, 323, 326, 329, 331, 336, 338, 341, 345, 348, 351, 353—356, 358, 359, 361, 363, 364, 367, 369, 370, 372, 373, 378, 379, 382, 383, 384—389, 391—400, 404, 408, 410—412, 414, 419—423, 426, 427, 429, 432—439, 443, 445, 447, 449—452, 454, 456, 458, 460, 461, 469, 474, 475, 478, 481, 483, 507, 517, 528, 548.

Edinburgh—*continued.*
bishop of, Alexander, 260.
——, . . . , 217, 219, 258, 449, *see also* Doctor Young.
commissaries of, 413.
magistrates of, 31, 36, 299, 503, 549, 550.
ministers of, xx, 46, *see also* Mr. William Colville.
presbytery of, 200, 304, 435.
provosts of, 246, 298, 430, 504, 529, *see also* Mr. Francis Bothwell *and* J. Smyth.
special buildings and streets,
Cowgate, 412.
Cross, the, 299, 399.
Grassmarket, 501, 502.
Greyfriars, 503.
Heriots Hospital, 524.
High Street, 472.
the Land Market, 298.
Merchant Maidens Hospital, 425.
Milnes Square, 226, 472.
Murdoch's Close, 502.
Nether Bow port, 299, 404, 407, 412.
Parliament Close, 298, 299.
Parliament House, xxiv, 304, 373.
Pleasance, 501.
Tolbooth, 210.
University of, 191n.
Weighouse, 299.
West Bow, 472.
West Kirk parish, 413.
Castle of, ix, 31, 38, 39, 47, 48, 49, 61, 77, 172, 182, 185, 196, 201, 215, 350, 372, 411, 434, 460, 500, 501.
——, in keeping of John, Lord Erskine, and John, Earl of Mar, 17, 38.
shire of, 7, 208, 471.
Edindowy, lands of, 1.
Edmiston, Laird of, 102.
Edmond, Sir Thomas, 74.
Edmonstone :
of Duntreth, Sir James, 46.
——, William, 15.
Education of the gentry, 261.
Edward the First, King, iii, 548.
Edward the Third, King, iv.
Eglinton :
Earl of, 206, 283, 327, 366, 452, 453, 554.
Elcho, Lady, 520.
Elections, *see* Parliament *and* Peers.
Elector, the, 505, 507.
Elfeston, Nicolas, 29.
Elgin :
87, 460.
Earl of, 554.
meeting house there, 260.
shire of, 420.
Elibank, Lord, 556.
Elizabeth, Queen :
vii, ix, 47, 49, 59, 474.
——, her signature, 25, 27, 28, 30.
——, her seal, 52.
Elizabeth—*continued.*
Queen, gets possession of a jewel sent to Mary, Queen of Scots, 24.
——, her letters to the Earl of Mar, 21, 24, 27, 29.
——, ——, to the Countess of Mar, 28.
Elizabeth, Queen of Bohemia, holograph letters from her to John, Earl of Mar, ix, xviii, 176—179.
Elizabeth, the ship, of Prestonpans, 399.
Elliot, Sir Gilbert, 315, *see also* Earl of Minto,
Ellis, Sir William, 519.
Elmar, Nicholas ,deceased, a keeper of the wardrobe, 125.
Elphinstone :
Lord, Alexander, 45, 67, 112, 113, 146, 147.
——, John, 208, 221, 555.
Master of, 146.
Barbara, 84.
Sir George, Lord Justice Clerk, 124, 132.
Sir James, 415.
James, Secretary, 48, 51.
place of, 221.
Elyne or Helen de Mar, daughter of Earl Gratney, v.
Emperor, the, 148, 149, 239, 419, 539, 545.
Engagement, the 'unlawful,' xx.
England :
53, 59, 95, 109, 123, 131, 174, 176, 177, 179, 182, 184, 185, 187, 190, 200, 206, 222, 259, 282, 295, 301, 310, 313, 314, 318, 337, 340, 342, 343, 349, 350, 357, 358, 359, 365, 381, 392, 394, 395, 400, 404, 409, 410, 411, 412, 419, 426, 479, 512, 513, 515, 516, 519, 521.
the auld enemies of, 15, 24.
Scottish Ambassador there, 47, 48, 49.
news from, 23, 24, 53, 148, 149, 150.
feeling there towards the Union, xxiii.
Jacobite invasion of, xxvii.
Church of, 102, 527.
the Constable, Marshall, and Chamberlain of, 191n.
North of, 335, 512, 514.
Privy Council of, 183.
Secretary of State for, *see* Sunderland, Earl of.
other State Officials of, (about 1616), 75.
Lord Treasurer of, 182, 185, 186, 187, 188, 189, 190, *see* Suffolk, Earl of.
English :
Mr., 229.
arms, 502, 503.
butter, 234.
cloth, 73.
Consuls, in Flanders, 213.
Court, 47, 48, 49.
money, 387.

English—*continued.*
officers, 49.
soldiers, 224.
Englishmen:
desirous of the Union of Parliaments, 227, 316.
their feeling towards the measure, 285, 311, 334, 354, 491, 547, 548.
Ensigns, orders for, 210.
Enster, *see* Anstruther.
Episcopacy, xiii, 426.
Episcopal clergy in Scotland, 264, 265, 267, 269, 281, 282, 387, 421, 481, 482, 517.
Episcopalians, and their meeting houses, 260, 261, 264, 265, 413, 430, 506, 507.
Equivalent, the, xxvi, 296, 307, 310, 317, 322, 333, 337, 343, 349, 350, 362, 364, 365, 380, 382, 383, 387, 388, 392, 393, 394, 397, 398, 400, 401, 402, 404, 407, 408, 411, 414, 425, 429, 431, 432.
Erections, the, 160, 161, 162.
Ergile, *see* Argyll.
Erroll, Arrolle:
Earl of, Francis, xi, 37, 61, 79; marriage of his daughter, 65.
——, William, ninth Lord Hay, High Constable of Scotland, 79, 195.
——, John, 219.
——, Charles, Lord High Constable, 247, 301, 304, 315, 417. 554.
Erskine (Areskine, Ereskine, Ereskyne, Erskein, Ersken, Esken),
Lord, Robert, first, v. vi, 7.
——, Thomas, second, and his wife, v, vi, 7, 8.
——, Alexander, third, vi, viii, 8.
——, Robert, fourth, and his wife, vi.
——, John, fifth, and his wife, vi, viii, 14, 17; Catherine, Margaret, and Janet, his daughters, 8, 9; Elizabeth, Lady Erskine, his mother, 9.
——, ——, ——, appointed guardian of King James V, and keeper of Stirling Castle, 11, 12, 13; tutor to the son of King James V, 15.
——, John, sixth, created Earl of Mar, vi, 16, *see* John, first Earl of Mar.
——, John, son of John, second Earl of Mar, 82, 93, 134, 146, 151, 158, 159, 163, 169, 171, 175, 191;
——, ——, letters to him, 132, 133, 159, *see also* Mar, Earl of, third.
——, John, son of John, third Earl of Mar, 194, 195, 201, 202, 203, 205, 206, *see also* Mar, Earl of, fourth.
——, Thomas (1736), 546.
Lords, *see also* Mar, Earls of.
Erskine (Areskine, Ereskine, Ereskyne, Erskein, Ersken, Esken)—*continued.*
Lady, Elizabeth, 9.
of Balgonie, John, 117.
of Brechin, Thomas, knight, Secretary, 15.
of Cambo, Sir Charles, Lyon King of Arms, 207.
of Dryburgh, John, 32.
of Gogar, Alexander, 30.
of Innerteill, Sir George, 84, 85.
of Little Sauchie, John, 32.
of Pittodrie, Thomas, younger, 508.
of Sheilfield, James, 208.
of Tillibody, Sir James, 121; his son Henry, 121.
Mr. Alexander, subdean of Dunkeld, 9.
Mr. Alexander, parson of Monyabroch, 8, 9.
Mr. Alexander, third son of the second marriage to John, Earl of Mar, xviii, 122, 123, 124; resides at the Hague, 176—178; his courtship and marriage, 178.
Alexander, Lyon King of Arms, 262.
Catherine, daughter of John, Lord Erskine, and intended wife of John Murray of Touchadam, 8.
Sir Charles, Lord Lyon, 221.
Mr. Charles, brother of the Earl of Buchan, 470.
Colonel, keeper of Stirling Castle, 347, 348, 355, 398, 436, 484, 510.
David, Commendator of Inchmahome and Dryburgh, 9.
Mr. David, 386, 422, 426, 433, 434, 477.
Rev. Ebenezer, minister of Stirling, formerly of Portmoak, xxviii, 528, 530, 541—544.
Lady Elizabeth, Mistress of Napier, daughter of John, third Earl of Mar, 201.
Sir George, 127.
Mr. George, 431, 432, 471.
Colonel Harry, dies abroad, 398.
Henry, father of David, Lord Cardross, xiii.
Henry, son of John, second Earl of Mar, 122—125, 156, 158, 160.
Henry, brother of John, sixth Earl of Mar, xxii, 224, 225, 239, 295.
Sir James, 69, 70.
Mr. James, advocate, brother of John, sixth Earl of Mar, and afterwards Lord Grange, xxiii; made keeper of the Signet, 236;
——, letters to and from him, 227, 238, 240, 241, 246, 247, 263, 266, 267, 269, 271, 272, 273, 393, 397, 413, 424; *see also* Lord Grange.
James, son of Lord Grange, marries the Earl of Mar's daughter, xxviii.

Erskine (Areskine, Ereskine, Ereskyne, Erskein, Ersken, Esken)—*continued.*
Janet, daughter of John, Lord Erskine, and wife of John Murray of Touchadam, 9.
John, a witness, 181.
Jo., signs, 224.
John, son of Colonel Erskine, 501.
Margaret, daughter of John, Lord Erskine, and wife of George Home of Lowndies, 8.
Margaret, sister german of John, Lord Erskine, and future spouse of James Haldane of Gleneagles, 9.
Mrs. Marie, future wife of Archibald, Earl of Angus, 31.
Robert, 32.
Sir Thomas, 46.
Mr. Thomas, brother of the Earl of Buchan, 501, 502.
Thomas (Tomie), 432.
Mr. William, 208.
Mr., 529.
family of, v, 7.
name of, 53.
lands of, v.
Erskine-Murray of Aberdona, the Hon. Mrs., report on the MSS. in her possession, 178n.
Escheats, 76, 180.
Esken, *see* Erskine.
Estates:
Committee of, *see* Committee.
meeting of the, 222.
Ethie:
247, 402, 403, 404.
Lord, David, son of the Earl of Northesk, 338.
Eugene, Prince, 226, 260, 277, 279, 466, 468.
Eumont Muir, 88.
Europe:
387, 403, 487.
peace of, 287, 288, 544, 545.
potentates of, 36.
wars in, xxii.
Everberg, camp at, 224.
Everham, Lord, 377.
Exchange, the, 307,
Exchequer:
the, 82, 252.
proposals for increasing the revenues, 163—168.
Lords Auditors of, 16, 66.
Chief Baron of, 448.
Chancellor of, his office in England, 116.
Commission of, and the Commissioners, xiv, 104—106, 131, 132, 139, 153—155, 156, 163, 170, 176, 191, 193.
Court of, 14, 91, 293, 394, 399, 409, 412, 423, 442, 445, 448, 477.
——, their fines, 180.
house, 132.
notes, 405, 408.
President of, 15.
Excise:
Acts, 297, 310, 313, 331, 333, 337, 342, 343, 379, 380, 391, 395, 396, 400, 410, 412, 414, 421, 535.
officers of, maltreated, 412.
Exercises for the musket, 209.
Exports and imports:
98, 99, 234, 322, 332, 333, 343, 344, 365, 391, 395, 396, 425.
lists of articles and quantities exported from Scottish ports, 70—74.
of coal, 213.
Eyndhoven, 225.

F

Fagill, Lieut.-General, 224.
Failfoorde, benefice of, 88.
Fairbarne, William, furnisher of coals, 18, 20.
Fairely, Captain, 464.
Fairfax, Lord, 555.
Falconer:
of Balmakellie, Sir John, xxi.
Mr. Alexander, 214.
Archibald, bailie of Canongate, 259.
Sir John, 214.
Watty, 26.
Mr., (cipher name), 554.
Falcons, 26.
Falkland:
38, 46, 80, 81.
Viscount, 191n, 555.
Fanny, Lady, 521.
Farquhar of Tullois, Gilbert, 10.
Farquharson:
of Invercauld, John, 440.
——, Robert, 201, 202, 205.
Donald, 197.
Fasts, appointment of, xxiv, 293, 294, 296, 297, 304, 426, 430, 434.
Fawsyde, George, a suicide, 121.
Fea, Barbara, alleges breach of promise, 413.
Fenton:
Viscount of, 52, 65, 69, 79, 142.
of that Ilk, William, 2.
James, depute-keeper of Holyrood Palace, 128.
. . . . , in Sweden, 9.
Fergus I, King of Scots, 139.
Ferguson, Fargisoun:
Alexander, in the King's chamber, 18.
John, lainer, 501.
John, liferenter, 197.
John, merchant in Doune, 543.
Ferne, Lord of, *see* William de Montealto.
Festival of the Order of the Garter, 107, 108.
Fettercairn, parson of, *see* Mr. David Seton.

Feuduties, price of, 159, 160, 161.
Fife :
Earl of, Duncan, 5.
and Menteith, Earl of, *see* Robert, Duke of Albany, 7.
Chamberlain of, 369.
Chamberlainry of, 394.
Provincial Synod of, 438.
Fifeshire, vii, 195, 197, 216, 511, 512, 547.
Findlater :
Earl of, 261, 554, 557.
laird of, 68.
Fines :
revenues replenished from the, 180.
for resetting the Clan Gregor, 118.
Finlay, a prisoner, 350, 356, 359, 363.
Finlaysone :
J., 348.
Thomas, divinity student, 502.
Fir trees, 103.
Fiscal problems, xxv.
Fish :
19, 344.
exports of, 73.
Fisher, Rev. James, minister at Kinclaven, 542.
Fisherman, the, (cipher name), 555.
Fisherrow, 210.
Fishery Company, Royal, 358.
Fishings :
the, 547.
the assize herring, 113.
rights and liberties, 403.
salmon, 420.
Fiz, Old, 412.
Flanders, xxi, 6, 24, 36, 213, 221, 232, 264, 267, 286, 396, 505.
Dutch, 225.
Fleming, Fleeming, Flemyng, Flyming:
Lord, John, 13.
. . . . , his signature, 17.
of Biggar, David, knight, 7.
Robert, a forger, 489.
Mr., 516.
Fletcher :
of Salton, Andrew, xxii, 228, 234, 267, 272, 273, 290, 294, 304, 306, 309, 315, 319, 323, 325, 328, 330, 349, 350, 352, 373, 378, 379, 421, 435, 436. 437, 476, 555.
Mr., xxii, 294, 300, *see* Lord Salton.
Flodden, battle of, vi.
Flying Post, the author of the, 315, 517, 319.
Foot Guards, regiment of, 299, 300, 305.
Forbes :
Lord, 453, 555.
Master of, Alexander, 10.
of Auchinhove, Sir Robert, advocate, 262.
of Barnes, William, 10.
of Brux, Arthur, 207, 208, 221.
——, John, and Isobel Gordon, his spouse, 10.
of Byith, John, 10.
of Craigievar, Sir William, 10.
Forbes—*continued*
of that Ilk, Sir Alexander, knight, 7.
——, Sir John, 3.
——, John, 4.
——, Sir William, 7.
of Innernochtie, Alexander, 10.
of Ladmacey, John, 197.
of Leslie, J., signs, 197.
of New, ... , 198.
of Tollie, Alexander, 9, 10.
Alexander, in Buchan, 198.
Arthur, brother to Tollie, 10.
Mr. Duncan, 521, 524.
Sir James, 277.
James, in Buchan, 198.
Margaret, wife of Alexander Bannerman of Elsick, 10.
Captain Patrick, 221.
Patrick (Peter), captain of the ship *William*, 255, 256, 262.
Robert, brother of Craigievar, 10.
William, messenger, 198.
Mr., 516.
. . . . , 4.
. . . . , 282.
family of, vii.
Foreign :
goods, imported and exported, 73.
Wars, xxii, 223—226, 232, 239, 260, 267, 269, 270, 276, 277, 279, 281, 287, 288, 289, 295, 296, 348, 349, 351, 359, 387, 396, 398, 418, 419, 442, 458, 459, 460, 464, 465—468, 539, 544, 545.
Forester of Garioch, 6.
Forfar, Earl of, 246, 453, 554.
sheriff clerk of, 38.
Forfeited Estates Commissioners, xxvii.
Forfeitures, 180.
Forgery, cases of, 392, 489.
Forglain, Lord, 293, 462.
Forgland, 412.
Forman, Alexander, in Sweden, 9.
Forres, shire of, 420.
Forrest :
Mr. Patrick, procurator fiscal, 172.
Thomas, a forger, 392.
Mr., 503.
Forrester, Forestare :
Lord, 555, 557.
of Culmoir, Duncan, 46.
of Garden, Alexander, 45, 46.
——, Sir James, husband of Dame Agnes Cockburn, 9.
——, James, apparent, 40.
of Logie, David, 46.
of Torwood, Sir Walter, knight, 8, 9.
——. Sir James, knight, his son and heir, 8, 9.
Alexander, son of Duncan F. in Kipmad, 46.
David, brother of David F. of Logie, 46.
David, bailie burgess of Stirling, 44, 45.
Duncan, in Kipmad, 46.
Duncan, bailie of Stirling, 17.

Forrester, Forestare—*continued.*
James, brother of David F. of Logie, 46.
Robert, bailie of Stirling, 17.
Robert, forester of the King's park of Stirling, 14.
Rev. Thomas, principal of New College, St. Andrews, 347.
Thomas, professor in St. Andrews, 347.
Forrett, Lord, 219.
Forster, Mr., 512.
Fortescue, Sir John, 59.
Forth:
Firth of, 408, 432, 512, 513, 514.
river of, 99.
water of, the bailiary thereof, 195.
Fort William, 429, 508.
Foulis (Foullis):
of Colinton, Mr James, clerk of register, 15.
——, James, 41.
Ja., signs, 208.
George, master of the Mint, 108,
Foullar, Walter, 8.
Fountainbleau, 52.
Fountainhall, Lord, (John Lauder), 300, 339, 462, 474.
Foverne, barony of, 6.
Fowlis, Easter and Wester, lands of, 1.
France:
xxvii, 9, 11, 15, 23, 24, 36, 49, 74, 75, 92, 127, 148, 182, 185, 194, 201, 239, 255, 275, 280, 417, 488, 499, 511, 513, 515, 517, 543, 544.
ambassadors of, 59, 150.
court of, 148, 514.
the old alliances with Scotland, 200.
and the Jacobites, 428, 431, 432, 434, 438, 441, 483.
King of, 474.
——, (Charles IX), 23, 29.
——, (Louis XIII), xii, xx, 56, 57, 59, 148.
——, ——, letter to him from Duc de Bouillon, 91—93.
——, (Louis XIV), 200, 201, 224, 351.
Prince Charles's marriage, xiv, 74, 75.
Protestant religion there, 91—93.
troops of, etc., 224, 225, 232, 260, 263, 269, 279, 387, 388, 458, 459, 466, 467, 468.
wars with, 160.
French letters, 52, 91—93;
ships, 270, 419, 433;
and wine, 396.
Francis, Sir, (cipher name), 556.
Frankland, Thomas, Postmaster General, 418.
Fraser:
of Lovat, Lord, Simon, 528, 555.
of Daltulich, Mr., 529.
Sir Alexander, 6.
Alexander (Sandie), son of Lord Lovat, 553.
Sir James, knight, 6.
Fraser—*continued.*
Margaret, wife of Alexander Strachan of Glenkindy, 10.
Sir Peter, 508.
Mr. William, W.S., 551.
William, junior, 552.
Fraserdale, 547.
Freeholders, 482.
Freeman, Mr., 486.
Free trade, 238.
Friars minors and captives of Aberdeen, 3.
of the Holy Trinity, 3.
Friesland, 124.
Frigates, 317.
one called the *Royal William*, 246.
Fright, Esquire, (cipher name), 555.
Fullarton (Fowlarton):
Mr. David, 168.
Lieut.-Colonel, his widow, 389.
Mr. Thomas, 311.
William, a servant, 18.
Mr., 292, 314.
Fyvie (Fiwy):
William de, 6.
his daughter Katherine, wife of William de Makhaun, 6.
garrison of, 205.

G

Gabor, Prince Bethlehem, 149.
Gadgirth (Gaitgirth), *see* Chalmers.
Galbraith (Galbrathe):
of Culcreuch, Robert, 40.
——, Thomas, 8.
Malcolm of, 7.
Galloway (Galluay):
Earl of, 260, 283, 318, 321, 366, 452, 483, 554.
bishop of, David, 13.
——, ... , 219.
Sir James, Master of Requests, xix, 107, 169, 198.
Mr. Patrick, the King's servant, 91, 119.
district of, 119, 129, 216, 230, 430, 483.
Galway, Lord, 387, 417.
Game, preservation of, 88, 95, 96, 147, 148.
Gardiner, Gairdner, Gardner:
James, master "garioner" of Stirling Castle, 75.
Michael, depute-keeper of Stirling Castle, 33.
Gargunnock, parish of, 424.
Garioch, Garioche, Garviauche, Garwiach, Garywyache:
Lords of, *see* Earls of Mar and Garioch.
of Kinstair, James, deceased, 10.
Francis, his son, 10.
Andrew of, knight, 1, 3.
Helen of, 4.

Garioch, Garioche, Garviauche, Garwiach, Garywyache—*continued.*
Sir James of, 6.
James of, Lord of Caskiben, 5.
Sir John, knight, 4.
John of, brother of Andrew, 1, 3.
John of, Lord of Caskiben, 3, 4.
forester of, *see* William de Makhaun.
lands of, 4, 6, 194.
lordship of, iv, 16.
regality of, 2, 3, 4.
Mar and, earldom of, iv, 7.
——, ——, vassals of, 170.
Garner, James, 501.
Garnsy, *see* Guernsey.
Garrisons:
instructions to, 212.
placing of, 214.
Garter:
King of Arms, *see* Sir William Segar.
Order of the, 107, 108, 215.
a chapter held in Westminster Palace, 150.
robes and insignia, 150.
Knights of the, 487.
Garthskaddane, lands of, 32.
Garvock, Viscount, 555.
Garwiach, *see* Garioch.
Garywyache, *see* Garioch.
Gassachie, of Poland, 149.
Gastonhall, 47.
Geddes, Archibald, 502.
Gedvart Forest, *see* Jedburgh.
Gelly, Mr. John, parson of Monymusk, 10.
General Assembly, *see* Church of Scotland.
General Bond, the, 180.
Genoa, Genua, 419, 517.
Gentry, education of the, 261.
George the First, King, xxvi, 516, 507, 508, 510, 517.
his queen, 541, 546, 549.
George the Fourth, King, xxviii.
George, Prince, of Denmark, 469.
Germans, the, 465.
Germany:
(Almanie), 36, 149, 221.
united Princes of, their embassy, 150.
Ghent, 213, 459, 467, 468.
Gib, Henry, servant to the King, 81.
Gibson of Durie, Alexander, 208, 211, 222.
Gifford, (Gyffart):
Hugh, 3.
William, 502.
Geight, Laird of, 79, *see* Gordon.
Gilchrist, Earl of Mar, iii.
Gillibrande, Sir Laurence, knight, 1, 2.
Glammis, 261.
Lord, John, 30, 31.
Glasford, Lord, 556.
Glasgow:
80, 175, 208, 212, 216, 220, 347, 404, 407, 408, 412, 417, 419, 470, 472, 506, 507, 519.
Glasgow—*continued.*
feeling there towards the Union, xxv, 269, 318, 322, 325, 335, 337, 339, 340, 345, 346, 350, 351, 352, 355, 357, 358, 363, 400, 405.
letters, etc., dated there, 253, 391, 398, 400, 405, 417, 434.
Earl of, David, 240, 241, 246, 249, 257, 258, 264, 270, 272, 274, 299, 336, 371, 386, 388, 389, 391, 392, 393, 394, 395, 404, 437, 438, 454, 555.
——, ——, as Commissioner to the Assemblies, 248, 249, 250, 256, 381, 383, 391, 400, 402, 408, 429, 434, 436, 457, 461, 476.
——, ——, as Clerk of Register, 461.
Archbishop of, John (Spottiswood), 67, 155.
——, James (Law), 90, 91.
——, Alexander, 219.
——, John, 220, 222, 237, 269, 387.
bishopric of, 27, 241, 387.
cathedral church of, 90.
committee of, 202, 203.
magistrates of, 398.
maltmen of, 90.
merchants, 270.
presbytery of, 434, 436.
provost of, 219, 269, 398.
university of, 240, 241.
Glass:
of Pittintian, Thomas, 131.
Jo., signs, 224.
Glenalmond, Glenamonth, forest of, 102, 115, 117, 119, 120, 128, 130, 131, 147.
Glenbervie, Laird of, (Douglas) 137.
Glenbuchet, Laird of, (Gordon) 198.
Glencairn:
Earl of, William, 221.
——, William, 238, 312, 313, 314, 318, 320, 321, 453, 504, 554.
Glendaruel, laird of, (Campbell) 506, 508.
Gleneagles, Glenegies, laird of, 424, 438, 443, *see* Haldane.
Glengarry, laird of, 509.
Glenkaye, lands of, 2.
Glenkindie:
laird of, (Strachan) 204, 205.
lands of, 2, 198, 207.
Glenorchy, Glenurquhay:
127.
laird of, *see* Campbell.
Glenstra, lands of, 89.
Glenurquhay, *see* Campbell of Glenorchy.
Gloucester, Duke of, 221.
Godolphin:
Earl of, Sydney, Treasurer of England, xxiii, 231, 247, 270, 275, 276, 277, 279, 281, 285, 287, 288, 289, 291, 293, 301, 305, 306, 307, 311, 314, 316, 320, 322, 325, 326, 329, 331, 335, 336, 342, 345, 346, 347, 353, 368, 369, 377, 379, 380, 386, 391, 394, 399, 405, 406,

Godolphin, Earl of, Sydney—*continued.* 407, 409, 416, 419, 440, 442, 449, 456, 457, 461, 462, 463, 469, 474, 478, 479, 487, 503, 504.
——, ——, letters to and from him, 236, 278, 280, 286, 295, 301, 341, 390, 391, 393, 395, 405, 429, 439, 454, 478, 479, 482.
Goodman, the, 158.
Goosehawk, 216.
Gordon :
Duke of, George, 221, 430, 434, 553, 557.
Lord, 117.
of Abergeldie, Alexander, deceased, 10 ; his widow, Elizabeth Seton, 10.
——, Alexander, and Christian Nicolson, his wife, 10.
of Balcomie, Mr. William, 425.
of Balmorell, James, elder, 10.
——, James, younger, 10.
of Clunie, Sir Alexander, 10.
of Corrochrie, John, 10.
of Dunkintie, ... , 10.
of Geight, Sir George, elder, 10.
of Losmoir, Sir James, knight, 10.
of Tarpersie, William, 10.
of Tullochaudie, George, 10.
Captain, 262, 401.
Francis, 502.
General, 512, 513.
Isobel, wife of John Forbes of Brux, 10.
John, bailie of Aberdeen, 256, 262.
Sir William, 508.
family of, vii.
name of, 79.
Gordon's affair, and the Scots merchants, 395.
Gorthy, Laird of, 486.
Gothenburg, 262.
Gourlay, Sir William of, 4.
Governors of castles and garrisons, instructions to them, 212.
Gowrie :
Earl of, William, Lord Ruthven, Treasurer, 32, 36, 83.
conspiracy, 212.
Grafton, 65.
Graham :
Lords, *see* Montrose, Earl and Marquis of.
of Ballindorane, John, clerk of the burgh courts of Stirling, 17.
of Claverhouse, John, 212, 214, 216.
of Fintry, David, deceased, 38.
of Inchbrakie, Patrick, 131.
Euphemia, her marriage with William Menteith, 8.
Florence, 544.
Grain, exports of, 71.
Granard, Lord, (Forbes), 221.
Grand Affair, the, *see* Union of Parliaments.
Grange :
Lord, brother of John, sixth Earl of Mar, xxiii, xxvii, xxviii, 388, 394, 397.
Grange—*continued*
Lord, letters to and from the Earl, 414, 419—437, 461, 469—484, 488—509.
——, other letters, 485, 486, 487, 488, 491, 517, 519—552.
——, as Justice Clerk, 487, 489, 498, 499, 507, 508, 509, 549, 550, 51, *see also* Erskine, Mr. James.
Grant, Graunt :
laird of, 244, 273, 363.
——, younger, 493.
Sir John of, knight, 4.
Lady, 493.
Colonel, commander of the Independent company, 420.
James, printer in Edinburgh, 550.
James, remission to, 196.
Murdo, deacon, 502, 503.
Grant Castle, 493.
Gratney, Earl of Mar, iii, v.
Grave, the, 225.
Gray :
Lord, 555.
master of, 54.
Abraham, soldier, 211.
Grissel, keeper of the infant King's clothes, 18, 19.
Nance, daughter of Helen Little, 18.
Thomas, lainer, 502.
Gray's affair, and the Scots merchants, 395.
Great Britain :
Chancellor of, 392.
Parliament of, *see* Parliament.
Privy Council of, *see* Privy Council.
Secretary of, 480.
Greenock, 398.
Green Ribbon, the, 272. *See also* Thistle.
Greenshields, the affair of, 482, 488.
Greenwich :
letters dated there, 27, 50, 51, 61, 63, 64, 84, 86, 87, 89, 94, 95, 112, 119, 125, 188.
Argyll and, Duke of, 522.
Gregory, Gregorie :
Mr. Charles, proposed Professor of Mathematics for St. Andrews, 428.
Doctor, 261, 307, 310, 317, 422.
Greivenbrock, 225.
Grierson, Robert, 501.
Grievances, commission for the, 139, 141.
Griffeth, Lord, 449.
Griffon, Lord, 433.
Grissons, the, 149.
Grotius, 403.
Guard, the King's, 11, 74, 101.
Guards :
the, 269, 271, 305, 369.
Colonels of the, 254, 258.
Guernsey (Gairnsay, Garnsay) :
Lord, 377.
privateers, 386.
Guienne (Haute), 92.
Guiscard, Count, 488.

Guise :
Duc de, 148; his son's marriage, 148.
Gumdristoun, lands of, 4.
Guns and firearms, 372, 502, 503.
Gustavus Adolphus, xviii.
Guthre, A., clerk of Edinburgh, signs, 31.

H

Hab of Lasterrick's Charter Chest, x note.
Hackney, 26.
Haddington :
Earl of, Thomas, xviii, 169, 182, 183, 184, 190.
——, John, 206.
——, Thomas, xxii, 311, 336, 372, 378, 384, 439, 503, 554, 557.
Abbacy of, 161.
Haddo, Lord, 505.
Hadow, Rev. James, professor of theology at St. Andrews, 347, 477.
Hagie, Hegy, Andrew, the King's steward, 18, 20, 21, 22.
Hague, (Hagh) :
the, xviii, 507, 539.
letters dated there, 176—179, 239, 260.
Hair, Patrick, 4.
Haitlie, James, 102.
Halcraig, Lord, his death, 255, 256.
Haldane :
of Ballewell, John, 36.
of Gleneagles, James, and Margaret Erskine, his future spouse, 9.
of Kippane, George, 9.
Mr. Patrick, 524.
Patrick, professor in St. Andrews, 347.
William, burgess of Perth, 9.
Haldawach, the, 7.
Haliburton, Mr., 519.
Halifax, Lord, 276, 277, 341, 345, 346, 348, 349, 353.
letters to and from him, 341—345, 404.
Halkerton, Lord, 556.
Hall, John, bailie of Preston, 193.
Haly, Lord, 332.
Hamilton :
Marquis of, John, first, 49, 50.
——, James, second, xi, xiii, 84, 96, 108, 111, 114, 115, 129.
Duke of, James, first, xviii, xix, 147, 169, 182, 183, 184, 186, 187, 188, 189, 190.
——, William, 211, 219.
——, James, fourth, xxii, xxiv, xxvi, 227, 230, 231, 234, 235, 268, 278, 279, 284, 285, 290, 292, 296, 297, 298, 300, 304, 306, 308, 309, 311, 312, 313, 323, 325, 329, 331, 339, 346, 348 (the great man), 352, 365, 368, 374, 375, 376, 378, 423, 441, 443, 445, 446, 450, 451, 469, 476, 486, 491, 492, 493, 496, 497, 499, 510, 534, 553.
——, ——, ——, his claim to the Scottish Crown after King James VI heirs, 313, 320.
Duchess of, elder, 346. 357, 358, 553.
of Blaikburn, Sir George, 117.
of the Briggis, Robert, appointed Master of the Queen's Artillery, 15.
of Pardoven, Mungo, 36.
Colonel Alexander, xviii, 185, 190.
Brigadier, 224.
Captain, 262, 395, 401.
Claud, commendator of Paisley, 32
Sir James, xviii, 185, 507.
James, cousin of the Marquis, 50.
James, 428.
Sir John, clerk of register, 170.
John, 493.
Mr. Patrick, 79, 102, 117.
. . . . , 56.
Hamilton :
town of, xxv, 80, 211, 212, 346, 350, 355.
opposition to the Union, 337, 355, 358.
letters dated there, 49, 50.
presbytery of, 436, 510.
treasurer of, 358.
Hampton Court, letters, etc., dated there, 68, 123, 175, 194, 404.
Hannay, Mr. James, minister at the church of Holyrood, 172.
Hanover :
Court of, 276.
Duke of, 487.
House of, xxvi, xxvii, 325, 506.
Prince of, 320.
Hanoverian troops, 239, 260, 267.
Hardwicke, Lord, 540.
Harlaw, lands of, in Garioch, 5.
Harley :
Robert, Secretary, 276, 277, 285, 351, 417, 427, 428, 484, 486, 487, 488, 489, 507.
——, attempted assassination of, 488.
——, letters to and from him, 240, 263, 280, 286, 390.
Harrison, Mr., (cipher name), 554.
Hastings, Henry de, son-in-law of David, Earl of Huntingdon, 4.
Hatton :
the Chancellor, 53.
a letter dated at, 255.
Havre de Grace, 256.
Hawkertoun, 81.
Hawks, 88, 89, 216.
Hawthorn :
Hew, 501.
Hugh, bailie in Edinburgh, 549.

Hay :
Earl, 555.
Lord, 79, *see* William, ninth Earl of Errol.
Lord, 484, *see* William, Earl of Errol.
——, Gilbert, constable, 3.
Lord John, 263, 276, 355, 375.
of Fosterseat, Sir Alexander, 112.
of Kinfauns, Sir George, Chancellor of Scotland, 102, 112, 114, 115, 117, 131, 132.
letters to him, 131, 132, 169, 170.
his conferences with King Charles I, 134, 135, 137, 139, 140, 141‘ 142, 143, 144.
of Kingask, Sir James, 66.
of Kirkland, George, 181.
of Strowie, William, 117.
Alexander, Clerk of the Privy Council of Scotland, vii, 15, 23, 24, 63.
Archibald, surgeon-in-ordinary to the King, 117.
Francis, deceased, 79.
Thomas, signs, 207, 210.
. . . . , mother of Mr. Gilbert Keith, 10.
Hayducks, 149.
Hayes, Mr., 513.
Hedges, Sir Charles, 275, 280.
Helen de Mar, sister of Isobel, Queen of Scotland, daughter to Graitnay, Earl of Mar, v, 215.
Henderson, Henryson :
A., clerk to the Lords of Council, signs, 206.
Allan, bailie of Preston, 193.
John, in Preston, his burgess ticket, 192, 193.
Walter, deceased, and his son, 81.
Henrietta Maria, daughter of the French King, her marriage, 74, 75.
Henry, the Fourth, King of France, x, 52.
Lord Darnley, husband of Queen Mary, 16.
Prince, infant son of King James VI, viii, ix, xii, 39—42, 43, 44, 47, 50, 51, 60, 215.
son of Earl David, *see* Hastings.
Hepburn :
Mr. Adam, a witness, 162.
Captain, 416.
John, divinity student, 502.
Mr., (cipher name), 554.
. . . . , son of a minister, 501, 502.
Heralds, at a trial, 191n.
Herald’s Office, the, 320.
Herchill, lands of, 3.
Hercules, 312.
Heriot :
James, wright in Edinburgh, 549.
Thomas, wright, 502.
Herries (Harris), Lord, 17.
Herring :
fisheries, 403.
white, 344, 357, 358.
Hervey, Lord, 533.
Hessian troops, 260.
Higgans, Thomas, 511.
High Commission, Court of, 172, 175.
Highlands and Isles, state of, xxvi, 42, 220 222, 223, 409, 415, 429, 528.
Jacobite risings, 340, 434, 507, 508.
religion in, 257, 430, 481, 482, 487, 493.
Highland Chieftains, 429, 450, 460, 508, 509.
Independent Company, 528.
Highlanders, xxi, 220, 221, 300, 317.
Highwayman, the, (cipher name), 554.
Highways, repair of, 208.
Hill, George, a servant, 501.
Hinchingbrook, 82.
Hind, a white, 106, 107.
Hochstette, 232
Hodge, Mr., his books on the Union, 267, 292, 310.
Hog, Mr., 520.
Hogsted, 465.
Holbourne, J. A., signs, 224.
Holburn, Captain William, 347, 355.
Holderness, Earl of, 113, 114, 162.
Holemby, 204.
Holland :
9, 182, 187, 190, 207, 354, 359, 401, 435, 485, 499, 534.
cloth, 234.
fleet of, 351.
States of, 505.
Holon (Holland) cloth, 67.]
Holsteins, the, 239.
Holyroodhouse, Halirudhouse :
Lord, 69.
Abbacy of, 32, 38, 283, 288, 291, 297, 298, 299, 306, 326, 327, 329, 330‘ 361, 371, 375, 381.
Abbot of, George, 8.
Church of, 172.
the minister there, 172.
letters, etc., dated there, 17, 30, 31, 32, 36, 37, 38, 43, 47, 48, 77, 78, 133, 151, 155, 156, 157, 168, 169, 181, 223, 233, 485.
Palace of, 39, 128, 411.
Holy Trinity, Friars Minors of the, 3.
Home (Houm, Hume) :
Earl of, 554.
of Berwick, Lord, 66, *see* George, Earl of Dunbar.
of Lowndies, George, and Margaret Erskine, his wife, 8.
of Polwarth, Sir Patrick, xx, 207, 211, 309, 461, 462, 481.
Alexander, signs, 43.
Sir Andrew, 429.
Sir John, 255.
John, signs, 246.
Sir Robert, 461, 462, 481.
Honywood, Mr., 486.
Hooke, Colonel, 275, 285 *and note.*

Hope:
of Rankeilor, Sir Archibald, 287.
Alexander, signs, 224.
Sir Thomas, King's Advocate, 163, 164, 169, 185.
Hopetoun, Earl of, 307, 503, 555, 557.
Hornings:
abuse of, 74.
registers of, 180.
Hornwork, 464, 465.
Horsburgh, William, 501.
Horse:
Grenadiers, 395.
Guards, the, 321.
Hoscoes, 210.
Hospital, Merchant Maidens, in Edinburgh, 425.
Houghtontour, letters dated there, 80, 81.
Houledone, *see* Huntingdon.
House of Commons, 201.
Household of the young King James V, 12, 13.
Houston, Archibald, W.S., 256.
Howard, Lord Thomas, 55.
Howarte, Mr. Peter, 81.
Howie, Dr. Robert, principal of the New College of St. Andrews, 175.
Hudson:
James, violer, 18.
Mekill Thomas, violer, 18.
Robert, violer, 18
William, violer, 18.
Huggar, the, (cipher name), 554.
Huguenots, the, xii, 91—93.
Hull, town of, 201.
Huls, 225.
Humanity, professorship of, 240, 241.
Hume, Alexander, lainer, 502.
Hungary, 149.
Hunsden (Hunsdon), Lord, Governor of Berwick, 25, 27, 28.
Hunter, John, baker, 501, 502.
Huntingdon:
Earl of, David, brother of King William the Lion, 3, 4, 5, 6.
——, John, 3, 6.
——, ... , 224.
Huntings, references to, 48, 49, 81, 88, 126.
Huntingtower, Castle of, 120.
Huntly:
Earl of, Alexander, third, 13.
——, George, fifth, 17.
Marquis of, George, first, xi, 60, 61, 67, 103, 129, 173.
——, George, second, vii, 9.
——, George, fourth, 443, 444, 511, 512.
Husband, the, (cipher name), 554.
Hutton:
Doctor, 486.
Patrick, 502.
Hyden, Baron de, 225.
Hyndford, Earl of, 340, 555, 557.

I

Idolatry, 218.
Imports:
234.
taxation of, 98, 99.
Imposts, *see* Customs, and specific articles of commerce.
Inchaffrey, abbacy of, 130, 131.
Inchkeith, 432.
Inchmahome, Commendator of, *see* David Erskine.
Incorporations, the, 316.
Independence, Wars of, iii.
Independent Company, the, 420.
Independents, 204.
Indian and African Company, the, 259.
Indies, the, 403.
Inglis:
Captain, 216.
William, 502.
Innermay, Lord, 481.
Innernytie:
laird of, 512.
Lady, elder, 247.
Innerowry, *see* Inverury.
Innerwick, lands of, 7.
Innes:
Cornet, 217.
Elspet, wife of John Leslie of Balquhane, 10.
Robert, 470.
Insanity, cures for, 558.
Inscription, an old, 528.
Insula Missarum, *see* Inchaffray.
Inveraray, 512, 513.
Inveray, 217.
Invercauld, 440.
goodman of, *see* Farquharson.
Inverlochie, 360, 434.
Inverness:
217, 283, 434.
Castle of, 86, 117.
shire of, 420.
Inverury, 3, 508.
Ipre, 213.
Ireland:
iii, xix, 193, 194, 198, 205, 206, 295, 322, 335, 336, 511, 513.
Lord Lieutenancy of, 387.
Vice-Treasurer of, 484.
Irish:
the, and Jacobites, 438.
butter, 234.
ship (privateer), 270.
troopers, 513.
Irvine, Irving, Wrwing:
Viscount, 555.
of Westoun, Alexander, 10.
Captain, 123.
Mr. Robert, minister at Towy, 207.
burgh of, 211.
presbytery of, 436.
provost of, 219.

Isac, Mr., (cipher name), 555.
Isham, Sir Justinian, 277.
Islay:
pronounced Yela, 304.
Earl of, the title taken by Lord Archibald Campbell, 303, 311, 370, 372, 374, 413, 463, 508, 531, 533, 534, 539, 540.
Isles:
the, King James V. voyages thereto, 15.
planting of churches in the, 257.
Isobel, daughter of Gratney, Earl of Mar, vn, 215.
Italy, 149, 225, 226, 239, 279, 281, 289.

J

Jacksone, Patrick, treasurer of the Canongate, 259.
Jacobites, the, xxii, xxiv, xxv, xxvii, 232, 274, 277, 298, 314, 315, 330, 340, 342, 345, 348, 360, 397, 408, 411, 505, 535, 536.
risings, etc., vi, xxii, xxvi, 409, 415, 428, 429, 430, 431, 432, 433, 434, 435, 437, 438, 440, 448, 483, 485, 508, 509, 511—520.
James the First, King of Scotland, 7, 181.
James the Second, King, iv, 240.
James the Third, King, iv, 143, 238.
James the Fourth, King, vi, viii, 8.
James the Fifth, King, vi, vii, viii, 39, 143.
——, in boyhood, 11—14.
——, his signature, 14, 15.
——, his sixth Parliament, 182.
——, his testament, 15.
infant son of King James V, Prince and Steward of Scotland, 15.
James the Sixth, King of Scotland, vii, viii, ix, xv, xix, 146, 155, 172, 181, 198n, 313, 425, 524.
——, in his infancy and boyhood, vi, vii, 16, 17, 18—22, 24, 25, 26, 30, 215.
——, his cradle and chair preserved, vi.
——, his accession to the Crown of England, 151.
——, his kindness to the Mar family, 151.
——, his revocation, 139.
——, his visit to Scotland in 1617, 78, 79, 80, 88.
——, his intended visit to Scotland in 1622, 95, 96, 100, 102.
——, instructs John, Earl of Mar, regarding the Treasurership, 98—102.
——, special parliaments of his reign, 181, 182.
James the Sixth, King of Scotland—*continued.*
——, and the Spanish match, 123, 124.
——, arranges the marriage of Prince Charles with Henrietta Maria of France, 74, 75.
——, a letter to his Queen, ix, x.
——, letters, etc., from him to John, Earl of Mar, 32, 37, 38, 43, 47, 48, 49, 50, 51, 60, 61—70, 77, 78, 80, 82, 84, 85—91, 95, 96, 103, 107, 111, 115, 116, 117, 118, 120, 127, 130.
——, ——, to the Privy Council of Scotland, and members thereof, 103, 104, 112, 129.
——, ——, to other persons, 46, 69, 74, 129.
——, letters directed to him, 61, 104—106, 109.
——, his death, xiv.
James the Seventh, King, xxi, 219, 510.
James the Eighth, King, (the Pretender), xxv, 340, 348, 397, 399, 430, 437, 438, 511; *see also* the Chevalier St. George.
James:
Sir, (cipher name), 556.
Mr., (cipher name), 554.
Jardane (Jerdane):
of Apilgarth, Alexander, master of H.M. Ordnance, 31.
Alexander, a witness, 31.
Jedburgh (Gedvart) Forest, lands of, 151.
Jenes fuschian (cloth), 67.
Jerusalem, St. John of, 7.
Jerviswood, Laird of, 234, 315, 398, 424.
Jesuits, 62, 149.
Jewel, description of one sent by Lady Athole to Mary, Queen of Scots, vii, viii, 24.
Jock, 369.
John:
Sir, (cipher name), 554.
son of Patrick, 6.
Johnstone:
laird of, 46, 49.
of that Ilk, James, 95.
of Lochhouse (and Thornick), James, (called Captain Johnston), 121, 122, 125, 126.
of Raecleuch, Robert, 95.
of Thornick, *see* of Lochhouse.
Adam, 501.
Mr. James, clerk of register, uncle to the Earl of Mar, 227, 228, 231, 232, 233, 241, 290.
Sir Patrick, provost of Edinburgh, in 1706, 298, 299, 301, 360, 366.
Mr. Robert, 139.
lands of, 3.
Jones, ... , 289.
Joslin, Sir, (cipher name), 555.
Juncto, the, 428, 445, 446, 450, 451, 478.
Jurisdictions, heritable, 423, 424, 427.

Justell, Sire, 92.
Justice :
General, the, 418.
Lord Chief, of England, 540.
Clerk, Lord, xxiii, xxviii, 144, 487, *see* Sir Lewis Bellenden of Auchnoule, Sir George Elphinstone, Adam Cockburn of Ormiston, Mr. James Erskine, Lord Grange.
——, his registers, 180.
Ayres, their fines, 180.
Courts, 127, 129, 328, 473, 481.
Justices of Peace, 212, 424, 436.
Justiciary :
of Scotland, *see* Walter, son of Alan.
Lords of, xxi, 287, 291, 423, 444, 477, 478, 482, 487, 506.
——, letters to them, 210, 482, 507.
Commissioners of, for the Southern District, 223 224.
office of, surrendered by Lord Lorne, 169.
Jutland pirates, 242.

K

Kandicraige, Lairds of, elder and younger, 197.
Kannan, Gilchrist de, 7.
Karse, the, 32.
Kaskybenne, *see* Caskiben.
Kayserswet, 225.
Keekeoyte, a fort, 226.
Keir :
laird of, 202, 203, 438, 444.
William, 501.
. . . . , 102.
Keirie, John, 207.
Keith, Lord, 222, *see* William, Earl of Marischal.
Keith (Keth, Keyth) :
William of, Marischal of Scotland, 1, 2, 3, 4.
Marshall, xxviii, 551.
of Benholme, James, 126.
of Delneis, Sir William, 43.
Sir Edward, husband of Christian Menteith, and their daughter Janet, v.
Mr. Gilbert, minister of Skene, 10.
his widow, Marjory Knowis, 10.
his son, 10.
. . . . Hay, his mother, 10.
Sir William, knight, 44.
William, bailie of Dundee, 6.
. . . . , Lady Blakfurd, wife of Sir Archibald Wood, 10.
Keith, meeting house at, 260.
Kelham, a letter dated at, 202.
Kelhead, Laird of, (Douglas) 398.
Kellie :
Earl of, Thomas, 108, 169.
——, Alexander, third, 268, 271, 423, 476, 554.
——, Walter, his claim to the Earldom of Mar, vii.
Mr. William, 113.
the King at, 80.
Kemp, Mr. Hugh, Moderator of the Provincial Synod of Fife, 438.
Kenmure, Viscount, 512, 513, 555.
Kennedy :
of Kilhenzie, John, 517.
Sir Andrew, Conservator, 256, 421.
Mr. James, Conservator of Scottish privileges at Campvere, 213.
Kensington :
277, 429, 469.
letters dated there, 382, 453, 504.
Kent, Earl of, 53, 389.
Keppoch, Laird of, 220.
Ker (Car) :
Lord Charles, 234.
Lord Mark, 226, 252, 253.
of Ancrum, Sir Robert, gentleman of the Prince's bedchamber, 125.
of Kersland, Robert, xx, 207, 528.
of Litleden, Sir John, iii.
Mr. George, son of the deceased abbot of Newbattle, 39.
Kikouts, 225.
Kildar, Lord, 54, 56.
Kildrummy :
Castle of, burned, 222.
house, of 201, 202, 205.
lands of, 191.
lordship of, 198.
Kilmadock, minister of, 543.
Kilmarnock, 211.
Earl of, William, 290, 300, 321, 374, 378, 436, 554.
Kilravock (Kilraick), Laird of, *see* Rose.
Lady, and her son, 271.
Kilsyth :
xxv, 345, 346, 350.
battle of, xx, 203.
Viscount of, 112, 300, 435, 439, 444, 476, 555.
Kilwinning :
217, 436.
minister there, 517.
Kimbolton, Lord, 201.
Kinblew, Easter and Wester, lands of, 3.
Kincardine (Kingcairne) :
Earl of, Alexander, second, 208.
——, Alexander, third, 238.
——, Alexander, fourth, 294, 300, 309, 321, 554, *see also* Bruce of Broomhall.
earldom of, claimants thereto, 283, 284.
Kincardine O'Neill, (Kincairn of Neill), 217.
Kinclaven, minister of, 542.
Kinclevin, Lorn, 107, 113.
Kinduny, rector of, *see* Sir John of Tassenie.

King, Sir P., 477.
Kingesbrough, barony of, 113.
Kinghorn :
Earl of, son-in-law of the Earl of Mar, 86.
——, signs as a witness, 195.
King's birthday salutes, 212.
King's College, Aberdeen, 493.
King's guard, *see* Guard.
Kingston, Viscount, 555.
Kinloss, abbot of, ix, 47, 48.
Kinnaird, 80.
Kinnoull :
524.
Earl of, 488, 521, 554.
minister there, xxviii, 524.
Kinross (Kynross) :
Margaret, 42.
Robert, chamberlain to the Countess of Mar, 36.
Kynstare, lands of, 1.
Kintore :
508.
Earl of, 208, 551, 554.
lordship of, 16.
Kintyre, lands of, 126.
Kipdarroch, Laird of, 220.
Kippen, parish of, 424, 544.
Kippendavie (Capendavie), Laird of, 444.
Kippenross, Lady, 18.
Kirby, letter dated at, 126.
Kirkcaldy :
of Grange, James, Treasurer, 15.
town of, 389, 395.
Kirkcudbright, magistrates of, 483.
Kirkpatrick, parish of, 32.
Kitlenaket, 413.
Knapdale, lands of, 7.
Knevet, Lady, 150.
Knighthood, conferring of, 514.
Knokinbarde, lands of, 4.
Knoklauchly, lands of, 4, 5.
Knowis, Marjory, widow of Mr. Gilbert Keith, 10.
Korwit, Robert of, 4.
Kow, abbot of, Henry, 5.
Kyle-Regis, lands of, 7.
Kylestewart, barony of, 7.
Kynalch, lands of, 5.

L

Lafin, pass of, 465.
Lafreis, Peter, 502.
Laik, Sir Thomas, Secretary of England 75.
Laing Historical MSS., in the University of Edinburgh, 191n.
Lainshaw, Laird of, 508.
Laird, the, 158.
Lalo, Colonel, 464.
Lamb, Cristell, 18, 20.
La Moshe, 267.
Lamott, Monsieur, 226.
Lanark (Lendrick) :
xxv, 346, 350.
presbytery of, 436.
shire of, 195, 211, 212.
Lancashire, xxvii, 320, 514.
Lando, 225, 226.
Land Tax Bill, 241.
Languedoc (Haute), 92.
Larbert, parish of, 210.
Largs (Large), 217.
La Rochelle, 92.
Latin, teaching of, 11.
Lauder :
John, 474, *see* Lord Fountainhall.
Robert, knight, 6.
Robert, 502.
Lauderdale :
Earl of, John, 112, 131, 137, 160, 161, 200.
Duke of, John, xxi, 206, 207, 208, 211, 214.
Earl of, John, fifth, 312, 318, 321, 365, 414, 415, 422, 554, 557.
Laurence, friar, of the friars minors of Aberdeen, 3.
Law, faculty of, 240.
Lawborrows, 180.
Law Courts, 201.
Laws, penal statutes, 217—219.
Law suits, extraordinary, 517.
Lawers, Laird of, 115, 130, *see* Campbell.
Lawson, Andrew, 502.
Leache, Martin, a keeper of the wardrobe, 125.
Learmonth (Leirmonth, Lermonth) :
of Balcomie, James, 425.
of Darsy, James, master of household, 15.
James, 8.
Leather, tanning of, 82, *see also* Skins *and* Tanning.
Leckie (Lecky) of that Ilk, Walter, 35, 36, 41.
Lee :
laird of, 171.
Mr., (cipher name), 554.
Leeds, 451, 529.
Leffingen, 466.
Leghorn, 271, 418, 419.
Legitimations, 181.
Leinster, King of, iii.
Leischeman, John, bailie of Stirling, 17.
Leith, Leyth, Leth :
William of, burgess of Aberdeen, 1, 3.
of Harthill, John, 10.
of Overhall, George, and . . . . Dunbar, his wife, 10.
. . . . Leith, his mother, 10.
Mr. George, minister at Culsalmond, 10.
Leith, town of, 182, 185, 221, 260, 391, 395, 412, 503.
letters dated there, 15, 28.
port of, 99.
roads, 15, 433.
sands, a duel there, 234.

Lench, Mr., English Consul at Bruges, 213.
Lendrick, *see* Lanark.
Lennox:
Earl of, Matthew, Lord Darnley, Regent of Scotland, 15, 22, 23, 24, 25, 26, 27.
his widow, Lady Margaret, 25, 26.
Duke of, Esmé, first, 32.
——, Ludovick, 49, 50, 51, 59, 75, 113, 121, 124.
Countess of, Lady Margaret, viii.
David, usher, 41.
earldom of, 27.
Lerick, Sir William, 59.
Lerida, surrender of, 419.
Lerma, Cardinal de, 149.
Leslie (Lesslie):
Alexander of, 2.
Norman de, knight, 3, 4, 5.
his son William, 5.
of Balquhane, John, and Elspet Innes, his spouse, 10.
of Kincraigie, George, elder, 10.
of New Lesly, ... , 10.
A., signs, 197.
Alexander, in Tullois, 10.
Lieut.-General, David, xx, 202, 203, 205.
John, portioner of Buchanstoun, 10.
Patrick, burgess of Aberdeen, 10.
lands of, 4.
place of, 255.
Lesselyne, lands of, 3.
Leven:
Earl of, David, commander-in-chief of the forces, 246, 247, 249, 270, 272, 289, 306, 363, 371, 374, 381, 408, 415, 416, 428, 432, 433, 434, 435, 439, 440, 441, 450, 453, 455, 459, 460, 476, 477, 483, 554.
——, ——, letters to and from him, 247, 249, 251, 404, 460.
Leveridge, Mr., (cipher name), 556.
Leviston, George, an under clerk of Session, 501.
Lewis, Island of, 425.
Liberton:
minister of, 386.
parish of, 503.
Libraries, for the use of churches, 257.
Licenses, 181.
Liddel, ... , professor of mathematics in Aberdeen, 261.
Lieutenant-Colonels, orders for, 210.
Lieutenant-General of H.M. Forces in Scotland, *see* General Thomas Dalziel.
Lille:
camp at, 464, 468.
siege of, 464, 465, 466, 467, 468.
Lin, Mr., 520.
Lincluden (Lynclouden):
provost of, Robert (Douglas), 43.
——, William (Stewart), Treasurer, 23.
Lindores, Lord, 555.
abbot of, John, 3, 6.
Lindores—*continued.*
abbot of, William, 3.
abbacy of, 38.
convent of, 6.
Lindsay (Lindesay, Linsey):
see also Crawford, Earls of.
Earl of, Robert, Lord High Constable, 191n.
Mr. David, minister at Dundee, 81.
Patrick, bishop of Ross, xv.
Patrick, provost of Edinburgh, 528, 529.
William of, 3.
Linen, 400.
Linlithgow (Lithgow), 44, 48, 49, 340.
Earl of, Alexander, second, 169.
——, George, third, commander-in-chief, 210, 214.
——, James, 417, 554.
palace of, 86, 95, 96.
shire of, 197.
Lion rampant, worrying a leopard, depicted on a jewel, 24.
Liquors, imported and exported, 73.
Lisbon, 260, 295, 296.
Lithgow, *see* Linlithgow.
Litill, Helen, chief nurse to the infant King, 18.
Livingstone (Levingston):
Lord, Alexander, 45.
of Donypace, John, younger, 35, 41.
of Dunlappie, Alan, 97, 107.
of Greenyards, William, 210.
of Jerviswood, ... , and William, his son, 44.
Allan, 102.
Sir James, the King's servant, 93, 95, 106, 108.
John, in Daldurs, and George, his son, 44.
John, servant to the King, 97, 106, 107, 146.
Laird, in Galloway, 44.
Robert, brother of Laird L., in Galloway, 44.
William, signs, 224.
Lix, Thomas, knight, 2.
Lochaber, 220.
Lochiel, laird of, 508, 509.
Lochmaben, Loughmaben:
127, 130.
castle of, 122.
church of, 130.
tolbooth of, 129.
Lockhart:
of Lee, Sir James, 70.
Mr., 285, 318, 364.
Logan, Rev. John, 274.
Lohyhet, church of, 5.
London:
ix, xiii, xxiii, xxiv, xxv, xxvi, 49, 59, 92, 131, 158, 187, 190, 235, 236, 237, 254, 256, 265, 281, 282, 285, 286, 287, 288, 290, 292, 305, 310, 314, 322, 326, 338, 342, 345, 350, 353, 358, 359, 361, 366, 367, 368, 372, 376, 383, 384, 400, 401, 418, 423, 439, 444, 445, 446, 447,

London—*continued*
449, 450, 451, 452, 454, 455, 456, 460, 461, 476, 477, 481, 483, 500, 507, 509, 510, 528, 529, 534.
letters, etc., dated there, 32, 93, 122, 124, 227, 231, 237, 238, 239, 240, 241, 246, 247, 271, 282, 370, 434, 482, 485, 486, 487, 488, 493, 509, 529, 531, 532, 534, 540.
Bishop of, 149.
Mayor and Aldermen of, 149.
special streets and buildings, etc.
Cecill Street, 311.
Newgate, 444, 459, 488.
port of, 391.
Privy garden, 508.
St. Paul's Church, 149, 150.
the Strand, 311.
the Tower, xxv, 241, 398, 444, 460.
Westminster Palace, xxiii.
Lorane, Prince of, 74.
Lorne (Lorn):
91.
Marquis of, 224.
Lord of, (Robert Stewart), vi.
——, surrenders the office of Justiciary, 169.
Lothian:
Earl of, Robert, 67, 111, 116, 125.
Marquis of, William, 254, 256, 284, 293, 299, 300, 318, 374, 375, 416, 553, 557.
Lothian and Tweeddale, Synod of, 439.
Loudoun (Laudien):
Earl of, John, 200.
Marquis of, Hugh, Secretary of State, xxiii, 228, 233, 237, 241, 242, 244, 245, 247, 248, 256, 258, 259, 264, 267, 272, 274, 275, 277, 283, 289, 292, 299, 303, 307, 351, 356, 357, 364, 371, 383, 386, 389, 392, 393, 396, 401, 405, 406, 409, 411, 416, 417, 418, 433, 442, 448, 449, 453, 478, 491, 554.
Louis the Thirteenth, King of France, xii.
Louis of Baden, 396.
Lovat:
Lord, Simon, xxviii, 545, 551, 552, 555, *see also* Fraser of Lovat.
estate of, 547.
Low, John, procurator fiscal of the High Commission, 175.
Low Countries, the, xviii, 44, 184, 213, 262.
Lowndes (Lowns), Mr., 399, 489.
Lowrie, Mr. Joseph, late minister at Stirling, 172, 175.
Luinys, Monsieur de, 148.
his daughter's marriage, 148.
Lundie, Laird of, *see* Campbell.
Lyle, Lord, Robert, vn.
Lynn, Mr., 419.
Lyon:
Viscount, Patrick, 195.
Lady, 111.
John, master cook, 18, 20.
Lyon King of Arms:
see Alexander Erskine *and* Sir Charles Erskine of Cambo.
the office of, 262.
"Lyon, the, sall be Lord of all," written on a jewel sent to Mary Queen of Scots, 24.
Lyons, gulf of, 419.
Lys, the, 467.

M

McAllane VcAllester Roy, of Lagnhaa, Rannald, 91.
McArthur, John, 502.
McCartnay (McKertny, McKartnie):
James, 500.
Mr., 486.
McCoul, ... , divinity student, 502.
McCullo (Mackullo), John, M.D., 91.
McFarlane:
of Arrochar, Andrew, and John and Umphra, his sons, 38
of Gartavertane, Andrew, and Malcolm, Andrew, and John Dow, his sons, 38.
McGregor, John Dow, and his son John Murray, 89.
MacGregor, Clan, 76, 118.
McHenry, Hugh, 249.
McIntosh:
John, a corporal, 212.
Sir Lachlan, deceased, 113.
. . . . , vagabond, 206.
McKay:
General, 264.
John, son of Donald, Lord Reay, 191.
McKartnie's regiment, 252.
Mackenzie (McKenzie):
of Scatwell, Lady, 553.
George, signs, 208.
George, 418.
John, his pension, 128.
Kenneth, 212, 217.
McKie, Mr. William, minister at Balmaghie, 500.
Mackinnon, Mr., author of History of the Union of 1707, xxvi.
McLachlan (McClauchlan), ... , his trial, 549, 551.
McLean, Sir John, 314, 320, 509.
McLellan (McClellan):
James, 502.
Sir Samuel, 420.
McLeod, the tutor of, 509.
McMillan:
James, 500.
John, minister, of Balmaghie, 500.
MacMillanites, a church party, 530.
McMorran, Ninian, 68.
Mace, presentation of one, 320.
Macher, lands of, 4.

Macolo, Doctor James (John), King's physician, and his widow, 119.
Madagascar, 258.
Maderty, Lord, 555.
Madrid, 260.
Maestricht, 224, 225.
Mahon (Mohoun), Lord, 497.
Maiben, William, in Stirling, 544.
Main, Duc de, 148.
Mair, Thomas, son of the minister of Culross, 501, 502.
Mairepomunth, the, 102.
Maisondieu, preceptory of, 87.
Maitland :
Lord, 214.
Lady, 214.
Alexander, 214
Ch., signs, 206, 208.
Lieut.-General, 508.
Major-General, 429.
General, 447.
William, his signature, 17.
Mr. (cipher name), 555.
Makhaun, William de, and Katherine Fyvie, his wife, 6.
Makledowir, Allan, 103.
Malautt, John de, knight, 3.
Malcolm the Fourth, King, iii.
Malcolm, son of Beroof, 4.
Malcom(son), Norman, 3.
Mallock of Cairdneis, J., 131.
Malt, tax on, 344, 348, 349, 358.
Maltmen, prosecution of, 90.
Mar and Annandale, Lord of, John, iv.
Maners, Lady Jean, daughter of the Earl of Rutland, 150.
Manflet, Count of, 149.
Mannor, Lord of the,(cipher name), 554.
Mansfield, Count, 94.
Manufactures, 365, 400.
Mar :
Earl of, Donald, iii.
——, Rotheri, iii.
——, Morgund, iii.
Duncan and David, his sons, iii.
——, Gilchrist, iii.
——, Duncan, iii.
——, William, iii.
——, Donald, Governor of Stocland, iii, v, 1, 4, 215.
Gartney and Duncan his sons, 1.
——, Gratney, iii, v, 215.
——, Donald, Regent of Scotland, iii, iv.
——, Thomas, Lord of Cavers and Garioch, and Chamberlain of Scotland, iv, v, 1, 2, 3, 4, 6.
——, George, (*sic*), 5.
Malcolm and John, his sons, 5.
——, John, first, (sixth Lord Erskine, q.v.), Regent of Scotland, and keeper of Stirling Castle, vi, vii, viii, 16, 22, 24, 29, 32, 179, 214, 215; produces a bond dissolving the Queen's marriage with Bothwell, 17 : appointed keeper of Edinburgh Castle, 17; letters to and from him, 21, 23, 24, 26, 26n, 27, 29.
Mar—*continued*
Earl of, John, second, Treasurer of Scotland, vi, viii—xix, 31, 32, 33, *et passim* to 193, 500; as Captain of Stirling Castle, 31, 32, 39, 40, 60, 61, 67; obtains the keeping of Edinburgh Castle, 38, 43, 77; appointed keeper of Prince Henry, 39, 40, 42, 43, 44; this office discharged, 51; appointed Treasurer, xi, 215; gets instructions from the King, 98—102, 133—146; resigns, 173; makes alliance with Colin, Earl of Argyle, 31, 32; references to his intercourse with the Earl of Angus, 33, 34; receives license to go abroad, 36; is Ambassador at the English Court, 47, 48, 49, 59; appointed collector of the taxation, 106; allowed to be absent from Festivals of the Order of the Garter, 107, 108; litigations in which he is concerned, 112, 113, 146, 147, 151, 169, 170; at London, 131, 158; pleads for the interests of his family, 151—153, 156, 160; his claim to the lands of Jedburgh Forest, 151; made a Knight of the Garter, 215; his second son's marriage, xi; his third son, Alexander marries, xviii, 176—178; his son James, 59, 158, 159; his daughters, Anna, Margaret, and Annabell, 59; letters to him from King James VI, 32, 37, 38, 43, 47, 48, 49, 50, 51, 60, 61—70, 77, 78, 80, 82, 84, 85—91, 95, 96, 103. 107, 111, 115, 116, 117, 118, 120, 127, 130; from King Charles the First, 130, 147, 157, 162, 172, 173; from Elizabeth, Queen of Bohemia, 176—179; from various persons, 31, 32, 37, 45, 46, 47, 49, 52, 53—59, 122—125, 130, 131, 150, 169, 171, 173; addressed by the King as "John Slates," 37; letters from him to King James the Sixth, 77, 109, 114; to Prince Charles in 1622, 109; to King Charles the First, 133, 151—153, 155, 156, 157, 163, 168, 169, 174; to his son John, 159; his last will and testament, 59; his death and burial, xix, 193, 194.
——, John, third, 9, 59, 68, 193—206; his Tanning Reform scheme, 195; resigns the sheriffship of Stirling and bailiary of the Forth, 195; in disfavour with the King, 196; his apology, 196; his marriage, 65; his daughter, Elizabeth, mistress of Napier, 201; letters from the King to him, 196, 199; other letters to him, 193, 194, 197, 199,

Mar, Earl of, John, third—*continued.* 200, 201, 204, 205; his letter to King Charles the First, 196.
——, John, fourth, gets a commission, 206.
——, Charles, fifth, v, xxi, 207, 217, 219, 220, 221, 222; orders to him as Governor of Stirling Castle, 207, 208, 212, 219, 220, 222; his claim to the office, 214, 215; orders for his regiment, 210, 211 214: letters addressed to him, 207, 212, 216, 217, 220; letters from him, 219.
——, John, sixth, references to him, vi, 222—521, 554; his Act for the Treaty of Union, and his interest in the proceedings, xxii—xxvii, 235; appointed keeper of the Signet, etc., 389, 392, 393, 396; appointed Secretary of State (1705), xxii, xxiii, xxvi, 235, 236; his house and family at Alloa endangered, 431; 432; he obtains a pension, 480; appointed Commander-in-Chief of the Pretender's army, 511; his wife, and young son, 316; her illness and death, xxv, 385, 390; his daughter, Lady Fanny succeeds to the estates, xxviii, 528; his mother, 470; references to his brother, Lord Grange, 286, 287, 288, 290, 296, 305, 329, 346, 353; his correspondence, largely about the Union of 1707, 222—509.
Helen or Elyne de, Lady, v.
Countess of, Isabella (Douglas), iv, v.
——, *see* Dame Elizabeth Douglas.
——, (of first Earl), *see* Lady Annabella Murray.
——, (of second Earl), *see* Dame Mary Stewart.
——, Margaret, (of sixth Earl), letters to and from her, 227, 234, 235, 236, 245.
Countess (Duchess) of, Frances, letters to and from her, xxvii, 436, 517—528.
Master of, Alexander, 31, 33.
family, sketch of its early history, iii—viii; long and faithful service, 214, 215; descent and privileges, 151, 153, 215; its vicissitudes, 390.
Peerage case, vii.
charters and papers, etc., at Alloa, 431, 432.
Mar (Mare):
Sir John of, canon of Aberdeen, 1, 3.
John, Commissary of Aberdeen, 13.
Thomas of, 4.
earldom of, iii—vi, 1, 2, 16, 194.
estate of, 432.
Braes of, lands of the, 191.
Mar and Douglas, Earl of, William, 5.
Douglas and, earldom of, iv.
Mar and Garioch:
Earl of, John, iv.
earldom of, iv, 7.
——, vassals of, 170.
Mar and Kellie, Earl of, Walter, xxviii.
March, Earl of, John, iv, 555.
Marchmont, Earl of, 241, 273, 278, 291, 294, 305, 311, 340, 367, 370, 371, 372, 374, 536, 555.
Margaret, Queen of James the Fourth, 12, 13, 14.
Margaret, Lady, Countess of Lennox, widow of the Earl of Lennox, 25, 26, 27.
Margaret, sister of Thomas, Earl of Mar, and wife of William, Earl of Douglas, iv.
Marischal of Scotland, *see also* William of Keth.
Marischal (Merschell):
Earl of, William, Lord Keith and Altyre, 195, 206, 208, 219, 221.
——, George, 290, 317, 325, 439, 511, 554.
in Parliament, 298, 301.
Marjory, Countess of Carrick, v.
Marlborough (Malborrow), Duke of, 226, 239, 246, 247, 252, 253, 263, 264, 267, 270, 276, 279, 289, 326, 329, 335, 353, 359, 416, 423, 429, 435, 442, 443. 458, 459, 466, 467, 469, 487, 534.
Marley, Mr., 485.
Marriage:
of Prince Charles with Henrietta Maria. 74, 75.
case of breach of promise, 413.
Marshall:
Lord, 137.
James, keeper of the larder, 18, 20.
Mr., (cipher name), 556.
of England, 191n.
Martine (Mairteine, Marten):
Dr. George, rector of St. Andrew's University, 175.
Doctor, 42.
Sir Henry, knight, 191n.
Mary of Guise, the Queen Regent, 16.
Mary, Queen of Scots, v, vi, vii, viii, 15, 16, 17, 151; her marriage with Bothwell, 17; a jewel sent to her by Lady Athol falls into Queen Elizabeth's hands, 24; reference by Queen Elizabeth to her sinistrous schemes and designs, 25; her favours to John, Earl of Mar, 214, 215.
Master, Young, (cipher name), 554.
Master of the Horse, 532.
Masters of Household, 41, *see* Cunningham *and* Learmonth.
Mathematics, professors of, at Aberdeen, 261.
Mathie, , . . owner of a Prestonpans ship, 397.
Maule, Maulle:
of Panmure, Patrick, 127.

Maule, Maulle—*continued*,
Mr. Harry, W.S., 389, 392, 393, 396, 397, 412 483, 509.
Mawe, lands of, 3.
Maxton :
519.
of Cultoquhy, William, 131.
minister at, xxviii, 519.
Maxwell :
of Cardiness, . . . , 360, 366.
of Carlaverock, Robert, 82.
of Monreith, Sir William, 397.
Sir George, 444.
Harbert, squire of the King's body, 95.
John, 5.
Sir Robert, 109.
May, Isle of, 395.
Mayes, de, 464.
Maygne, *see* Menzies.
Meals for the King's household daily, 19.
Mearns, the, 195, 420.
Meat :
exports of, 71.
fresh, 344.
Medicine, professorship of, 240.
Meditoun, Wulfred de, and his son John, 5.
Meldrum :
Sir Philip of, 2, 5.
Sir William of, 4.
William of, sheriff of Aberdeen, 2, 5.
Mr. Robert, 182, 185, 187.
. . . . , master of works, 360.
. . . . , 221, 222.
Meldrum's troop of horse, 216.
Melerade, Commissary, 419.
Melgum, 173.
Mell, the, (Pall Mall), 238.
Melrose :
Earl of, Thomas, President of Council, and Secretary, xv, 99, 112, 117, 123, 131, 134, 135, 136, 139, 140, 143, 151, 160, 161, 162, *see also* Haddington, Earl of.
erection of, 161, 162.
Melville, Melvin :
Earl of, 289.
Sir Andrew, knight, and his son George, 128.
Memorials to the Queen from the Parliament of 1707, and others, 315, 316, 320, 321, 322, 325, 329, 330, 331, 334, 342, 380, 381, 444.
Menin, 466.
Menmore, Laird of, 143.
Menteith, Mentethe, Monteth :
Earl of, President of the Privy Council, 81, 169, 185.
William de, his marriage with Euphem Graham, 8.
of Kerse, William, 32, 41.
of West Kerse, William, 8.
of Wester Quarter, Robert, 32.
Sir John, and Lady Helen de Mar, his wife, and Christian, their daughter, v.
Menteith, Mentethe, Monteth—*cont.*
Doune Castle in, 47.
lands of, 16.
lordship of, 16, 215.
Fife and, Earl of, 7. *see* Robert Duke of Albany.
Menzies (Maygne, Meygne, Moygne) :
Sir Bartholomew, knight, 3.
Thomas de, 6.
Sir Walter, knight, 1, 2, 3.
Merchants :
protection of, 8.
Scottish, and the Union, 366, 395, 406, 407, 408, 409, 411, *see also* Trade.
Merchant Maidens Hospital, in Edinburgh, 425.
Merchiston, 204.
Meredith, Mr., 486.
Merizeis, in France, 23.
Mersin, Count, 277.
Meygne, *see* Menzies.
Middlemest, William keeper of Dumbarton Castle, 114, 130.
Middleton, Midleton :
Lord, 212, 214, 221.
Earl of, 433, 475.
Midlothian, Sheriff and freeholders of, 471.
Migvie, lands of, 191.
Mygvecht, vicar of, *see* Sir Adam Cant.
Milan, 92, 418.
Military affairs :
xxi, 529.
levies of troops for service abroad, 122, 134, 145, 252, 253 404, 407, 411, 412, 415.
cases of discipline, 211.
evolutions, 209.
exercise for the musket, 209.
orders, 209, 210, 216, 217.
preparations for the Civil War, 197—206.
supplies, 249.
the Marquis of Hamilton's levies, 184, 189.
calling out troops to protect the Parliament of 1707, 335, 336, 345, 346, 350, 351, 353.
raising regiments for King Charles the Second, 206.
the English Establishment, 252.
Militia :
the, 201, 221, 421, 423, 424.
commissioners of, 212.
regiments, 208.
Miller :
Andrew, in Stirling, 544.
George, 502.
Milne, (Mylne), of Barnton, Sir Robert, 485.
of Carriden, Provost, 219.
Ministers :
Acts concerning, 144.
aid of, 89.
ousting of, 260.
Minny, Lady, *see* Annabella, Countess of Mar.
Minorca, 499.

Mint :
the, xxi, 108, 180, 214, 500, *see* Coinage.
General of the, 98, 422, *see also* John Acheson *and* George Foullis.
officers of the, 28.
repair of the Mint house, 102.
Minto, Earl of, (Sir Gilbert Elliot), 315, 336, 348, 415, 470, 471, 472.
Missionary societies, 482.
Mitchell :
Mr. James, proceedings against, xxi, 211.
William, in Canongate, 259.
Moffat, William, 502.
Mohoun, Lord, *see* Mahon.
Moncrieff, Moncreefe :
Rev. Alexander, minister at Abernethy, 542.
Mr. Gilbert, 42.
Nicol, 81.
Monk, General, 221.
Monpansie's daughter, 148.
Monro, Monroe :
Mr. George, servant to Mr. George Buchanan, 22.
Captain, 464.
Deacon, 503.
Montealto (Mowat) :
Bernard de, 1.
James, 1.
William de, knight, Lord of Ferne, 1.
Montefiascony, letters dated at, 517, 518, 519, 520.
Monteith, Robert, his widow, 109, 126.
Montersoer, Captain, 464.
Montgomery :
Earl of, 217, *see* Pembroke, Earl of.
John of, 7.
F., 246.
Hugh, 377.
Mr. John, 386, 485.
a prisoner, 350, 356, 359, 363.
Montmorency, Duke of, 29.
Montrose :
Earl of, John, 31, 32.
——, William, 9, 15.
——, John, letter from him to the Master of Mar, 30.
——, John, 119, 132.
Marquis of, (James Graham), his campaign during the Civil War, xx, 197, 203, 204.
——, James, 206.
Duke of, James, Secretary of State, xxii, xxvii, 228, 251, 274, 283, 284, 286, 287, 288, 294, 295, 298, 300, 303, 305, 311, 312, 315, 334, 337, 340, 350, 371, 374, 375, 393, 400, 402, 404, 405, 408, 409, 412, 413, 417, 419, 420, 427, 439, 450, 451, 470, 472, 473, 480, 506, 510, 536, 553, 556.
President of Council, 253, 254.
letters to and from him, 253, 270, 271.
Montrose—*continued.*
town of, 397, 516.
ministers of, 260.
Monyabroch, parson of, *see* Mr. Alexander Erskine.
Monymusk :
parson of, *see* Mr. John Gelly.
priory and canons of, iii, 1.
St. Mary of, and the canons there, 5.
Moore Eumont, 88.
Moravia, 149.
Moray (Murray) : 87.
bishop of, 258.
Earl of, Thomas (Randolph), 3, 6.
——, James, Regent of Scotland, 21.
——, James, 142, 148, 170, 195.
——, Alexander, Secretary for Scotland, 206, 211, 212, 213.
his brother, 212.
——, Charles, 434, 512, 554.
canon of, *see* Mr. Gilbert Armstrong.
church of, archdeacon thereof, *see* Mr. Thomas Nudre.
Firth, 434.
squadron, the, 321.
Mordington, Lord, 555.
More, Sir George, writes to John, Earl of Mar, 150.
Morgan :
. . . . , 356.
Bane, vagabond, 206.
Morocco (Maricco), Emperor of, 466.
Morpeth, jail of, 369.
Morton :
Earl of, James, vi.
——, James, Lord of Dalkeith, Regent of Scotland, ix, 30.
——, William, 40.
——, William, 83, 123, 125, 131, 132, 134, 142, 160, 187, 191n; appointed Treasurer, xviii. 173; letters to and from him, 84, 85, 199.
——, James, 229, 240, 451, 453, 554, 557.
Lady, 41.
Moselle, the, 260.
Moshe, Monsieur de la, 466.
Moubray of Barnbougall, John, 17.
Mourton, Earl of, 191n.
Mowat :
Alexander, in Holland, 9.
see also Montealto.
Moygne, *see* Menzies.
Moyle, Brigadier, 550.
Muckwell, lands of, 7.
Mulgrave, Earl of, James, 191n.
Murder of a councillor, attempted, 488.
Mure, William, 502.
Murray :
Regent, *see* Moray, Earl of.
Lord Charles, his troop of horse, 216.
Lord George, 512.

Murray—*continued.*
Lord James, 481.
of Abercairny, Robert, 41.
of Balvaird, Sir Andrew, 9.
of Cockpool, Mr. Richard, 127.
of Dowald, Anthony, 131.
of Elibank, Sir Gideon, Treasurer-depute, xii, 69, 70, 74, 75, 76, 77, 79, 81, 83, *et passim* to 95; deceased, 95, 96, 121.
of Ochtertyre, Sir William, 131.
of Pardewis, James, 32.
of Philiphaugh, Sir James, Lord Clerk Register, 291, 296, 299, 301, 304, 308, 317, 321, 325, 327, 330, 332, 335, 337, 346, 354, 356, 361, 364, 367, 369, 380, 383, 386, 402, 408, 415, 420, 423, 448, 457, 458.
of Polmaise, John, 35.
of Raith, Anthony, 131.
of Touchadam, John, and Catharine Erskine, his intended wife, 8; he marries Janet Erskine, 9.
——, William, deceased, 89.
his widow, Agnes Cockburn, 8, 9.
their son John, *supra.*
——, John, 40.
of Tullibardine, Sir William, and his daughter, Annabelle, vi, viii, 9.
——, Sir William, 17, 31.
——, Sir John, 40.
Lady Annabella, wife of John, first Earl of Mar, 18, 30, 32, 33, 36, 37; governess to the young King, 30, 36; to Prince Henry, 39, 40, 42; letters to and from her, 28, 32, 36, 37.
Barbara, keeper of the Prince's clothes, 42.
Catharine, 18.
Colonel, of the Guards, 369.
his brother James, 369.
Sir David, 130.
David, Captain of the King's pinnace, 117.
Mr. G., 267.
Mr. Henry, minister at Perth, 264, 265.
James, foreman of the King's kitchen, 18, 20.
James, Clerk of Register, 238.
John, servant of the King, 108, 111.
John, son of John Dow McGregor, 89.
John, 101.
John, 531.
Sir Patrick, gentleman of the King's Privy Chamber, 113, 115, 117, 120, 130, 148.
Mr. Patrick, gets a gift of Inchaffray Abbacy, 130, 131.
Peter, 502.
Captain Robert, 444.
Robert, 417, 419.
Murray—*continued.*
William, son of the deceased Sir Gideon Murray, late Treasurer-depute, 121.
William, in the King's chamber, 18, 20.
Mr., Philip's brother, 291.
Mushett, John, sheriff clerk, 36.
Music school, a, 87.
Musketeers, exercises for, 209.
Muslins, 234.
Musselburgh, 210.
Mutton, 19.
Myldmay, Sir Walter, 24.
Myrtoun, lands and barony of, 91, 119.

N

Nairne:
Lord, 443, 444, 481, 556.
Lady, 441, 443.
Sir David, xxiv, 246, 280, 301, 342, 343, 353, 354, 434, 445, 450, 452; letters to and from him, 235, 273, 275, 276, 277, 279, 281—285, 288—294, 296—341, 345—387, 415, 441—444, 447, 448, 452, 459—461.
Napier:
of Merchiston, Sir Archibald, afterwards Lord Napier, 131, 168, 171, 174, 197, 199; as Deputy Treasurer, xii, 116, 117, 120; his letters, 128, 170.
——, Lord Archibald, 204, 221.
Lord, 555.
Mistress of, *see* Lady Elizabeth Erskine.
Francis, 224.
Mrs. Lilias, daughter of Lord Napier, 201.
Naples:
Governor of, *see* Duc de Zouna.
riot in, 149.
Nassow, Prince of, 225.
National Covenant, 519.
Naval affairs, 529, 540.
Navy, the King's, 101.
Navigation, Act of, 238.
New, Laird of, 198, *see* Forbes.
Newark, Lord, 556.
Newbattle (Newbottill), abbot of, deceased, 39, 42.
Newbigging, 210.
Newcastle:
xx, 512, 529.
Duke of, 533.
coal, 213.
Newhaven, Viscount, 555.
Newlandis, lands of, 4.
Newliston, 544.
Newmarket, letters, etc., dated there, 76, 77, 82, 83, 84, 88, 91, 103, 104, 106, 107, 117, 118, 121, 122, 128, 129, 130, 195, 231, 289.

Newport, 213, 267.
Newspaper, the *Flying Post*, 315, 317, 319.
Newton Edmondston, Laird of, 444.
Nichol, George, 502.
Nicola, Signor, 554.
Nicollbrucht, in Over Austria, 149.
Nicolson :
of that Ilk, Sir John, knight baronet, and a lieutenant-colonel, 207, 208.
Christian, wife of Alexander Gordon of Abergeldie, 10.
William, 501.
Nimwegen, 225.
Nisbet, Henry, in Edinburgh, 31.
Nith, water of, 397.
Nithsdale, Niddisdeall :
Earl of, Robert, xiv, xv, xvi, xvii, 96, 119, 125, 126, 132, 133, 134, 135, 138, 139, 143, 144, 145, 147, 171.
district of, 129, 216, 430.
Noble gentleman, the, (cipher name), 554.
Noblemen, not to be Lords of Session, 133, 144.
Nodding, Lieut. William, 464, 468.
Nonconformity of Papists to the professed religion, 62, 65, 123.
Noreis, Sir Henry, 23.
Northfolk, 223.
Norie, ... , in Poland, 9, 10.
Norman, son of Malcolm, 3.
North :
the, *see* Highlands.
teinds in the, 424.
North Britain, 419, 422.
Northampton :
Lord, writes to John, Earl of Mar, xi, 53—59.
shire of, 277.
Northesk :
Earl of, sheriff of Angus, 247, 338, 347, 366, 374, 408, 453, 490, 554.
——, his son David, Lord Ethie, 338.
Norway, 399.
Nottingham :
451.
Lord, 377.
Nudre, Mr. Thomas, archdeacon of the church of Moray, 8.
Nurse, the, (cipher name), 555.

O

Oath :
of abjuration, 524.
of allegiance, 216.
of coronation, 294.
of the test, 218.
sworn by burgesses on their admission, 192.
Oats and oatmeal, 206, 310, 316, 322, 343, 352.
Obertarphe, *see* Abertarff.
Ocham, manor and hundred of, 59.
Ochiltree :
Lord, James, xiv, xv, xviii, xix, 134, 136, 139, 140, 142; his indictment, 181—184; his trial, 184—191.
Lord, 555.
Octorlacellouss, lands of, 5.
Officers of State, 418.
Ogilvy (Ogilbe) :
Lord, 125, 136, 146.
Lord, 512.
of Boin, Mr., 515.
Sir Alexander, 286.
James, marshall, 41.
Okine, 125.
Old :
Thomas, 502.
Judge, (cipher name), 554.
woman, the, (cipher name), 554.
Oliphant :
Lord, 283, 555.
of Gask, William, 88.
of Newton, Sir William, Lord Advocate, 83, 90, 102, 112, 113, 115, 120, 121, 128, 146.
Mr. James, son of the Lord Advocate, 113, 146, 147.
Jean, 18.
Omay, Alexander, servitor to George Hay of Kirkland, 181.
Oppitone, Count de, 418.
Orabile, wife of Gilchrist, Earl of Mar, iii.
Orange :
Prince of, William, xxi, 122, 222.
——, 530, 534, 545.
Orchwell, lands of, 5.
Order :
of the Garter, 107, 108.
of the Thistle, xxiii, 514.
Ordnance :
H.M., 31, 447.
Master of, 249, *see* Lieut.-Gen. William Drummond, *also* Earl of Leven.
Orkney :
72, 75, 88, 107, 108, 109, 120, 123, 127.
Earl of, Henry (de St. Clair), 7.
——, ... , 76, 77, 82.
——, George, 442, 446, 476, 554, 557.
bishopric of, 237.
Orleans, Duke of, 148, 277.
Ormiston, 472.
Ormond :
194.
Duke of, 205, 226, 387, 488, 504, 513, 516.
Orwell, 542.
Ostend, 213, 255, 256, 262, 267, 270, 464, 465, 466, 467.
Ostenders, 246.
Oswall, Archibald, servant to Thomas, Earl of Melrose, 162.

Otterburn of Auldhame, Mr. Adam, 13.
Oudenarde (Hudenaerde), 458, 459, 467, 468.
Ovan, Mr., 422.
Owin, lands of, in Garioch, 5, 6.
Oxenford, Viscount, 555.
Oxford :
xix, 199, 200.
Earl of, Robert (Harley), Treasurer of England, xxvi, 489, 505, *see also* Harley.

P

Packet, the, 417, 418, 529.
Padzett, Mr., 485.
Painted chamber, the, a meeting there, 191n.
Paisley :
xxi, 216.
abbey of, 32.
commendator or abbot of, 32, *see* Claud Hamilton.
presbytery of, 436.
Palaces, the King's Scottish, their reparation, 78, 82, 86, 95, 96, 168, 174, 176, 193.
Palmer, Mr., 436.
Palatinate, the, xiv, 93, 123, 124.
Panmure, Earl of, James, 219, 271, 470, 512, 554.
Panton, Laird of, 82.
Paper, 234.
Paper money, 402, 405.
Papists :
xxi, 430.
laws concerning, 217—219.
Paris :
14, 83, 148, 232, 514, 551.
Gazette, 225.
Parish Clerk, (cipher name), 554.
Park, John of, 7.
Parliament :
preceding 1489—90, 8.
Act for a triennial, 234.
held at Edinburgh on 2nd September, 1523, 13.
second of King James I, 181.
sixth of King James V, 182.
eleventh, fourteenth and fifteenth of King James VI, 181, 182.
held at Edinburgh, in 1617, 78.
held by King Charles I, in Edinburgh, in 1633, 174, 176.
proposed as arbiter between the King and the Lords of Session, 144.
the mode of presenting Bills in, 191, 192.
their petition to King Charles the First for redress of grievances, 201.
of 1706, 283.
Parliament—*continued.*
Scottish, on the Union, xxiv, xxv.
endangered by riots, 298—300, 328, 329, 338.
English, on the Union, 227, 228, 237, 239, 247, 301, 302, 307, 341, 345, 351, 354, 370.
choosing of peers and commoners, 302.
Acts of, extracts from the books, 14 ; anent feuing of Crown lands, 191 ; the earldom of Ross, 238 ; concerning protections, 134, 136 ; against wrongful imprisonment, 265.
——, special, 217—219, 387.
courts of, their fines, 180.
Parrot, the, (cipher name), 555.
Parry, Sir Thomas, French Ambassador, 59.
Parson, the, (cipher name), 554.
Partizans, 210.
Passports, granting of, 255.
Patents, 169.
Paterson :
of Bannockburn, Hugh, 208.
Sir Hugh, 498, 499.
John, in Denmark, 9.
William, clerk to the Privy Council, 221.
Mr., his remarks on the Union, 292, 307.
. . . . , 275.
Patoun, Mr., 520.
Patrick(son), John, son of, 6.
Patronage, right of, 489, 497, 498, 499.
Pawlett, Earl, 485, 533.
Peace, between England and Scotland, 25, 29.
Peer, 224.
Peers, election of, after the Union, 371, 373, 437, 446, 448, 490, 492, 494, 495—504, 509, 522, 523, 531, 533—538, 546, 547.
Peerages, disputes about, 368, 370—377.
Pembroke :
Earl of, Lord Chamberlain of H.M. household, 75.
——, Philip, Lord Chamberlain of England, 191n.
——, Lord Lieutenant of Ireland, 387.
Penal Statutes, 118, 181, 217—219.
Pencaitland, Laird of, 322, 335, 336, 469.
Penman, John, 502.
Pensions :
xii, xiii, 181.
letters of, 313, 320.
payments of, 87—96, *et passim* to 130, 146, 387, 388, 389, 391, 449, 480.
Peramsol, Mr. Laurence of, 3.
Perth :
326, 440, 511, 512, 513, 512, 515.
letters, etc., dated there, 7, 30, 171, 206, 264, 514, 516.
Earl of, James, 67.

Perth—*continued.*
Earl of, John, 119, 148.
Duke of, James, Lord High Chancellor, xxi, 219, 220, 221, 222.
bridge of, 129.
magistrates of, 264, 265.
ministers of, 260, 542.
presbytery of, 265.
the wise men of, 268.
the five Articles of, xiii.
shire of, xxviii, 197, 438, 443, 444, 511, 557.
Peterborough, Earl of, 227, 479.
Peterhead, xxvii.
Petersham, in Surrey, 536.
Petmalchy, lands of, 3.
Pettis, lands of, 2.
Pettrie, George, lainer, 502.
Phenick, Mr., 49.
Philiphaugh, battle of, 203.
Phillp, John, 412,
Philps, Mr., 396.
Picardy, 23.
Piercy, Mr., (cipher name), 553.
Pikes (pykes), exercises for, 209, 210.
Pilgrimages to wells, 558.
Piracy, 386.
Pitcairn (Petcarne):
Henry of, 1.
Doctor, 261, 427.
Mr., 132.
Pitcurr, Laird of, 273.
Pitmedden, Laird of, younger, 404.
Pitsligo:
Lord, Alexander, 10.
Lord, 555.
Pittinen, teinds of, 69.
Pittodrie, 508.
Place Bill, the, 485, 486.
Placets, 59.
Plassendale, 267.
Plenderguest, Lady, (cipher name), 555.
Plot, the, 234, 235.
Poecoak, *see* Pollock.
Poem, a prophetic, 198.
Poland (Pole):
10, 226.
King of, 149.
Politick, Sir, (cipher name), 554.
Pollock, Lord, 470, 507.
(Poecoak), Colonel, 502, 503.
Polton, Lord, 507.
Polwarth, Lord, 416.
Pomerland, 182, 187.
Pool, the, H.M. ship called, 418.
Pope:
Clement VIII, 47.
Julius II., 8.
Paulus IV, 9.
Sixtus IV, 8.
Urban VIII, 148.
Popery, the religion of, 192, *see* Roman Catholics.
Porca, Donald de, 7.
Pork, 358, 359, 361.
Porteous, Captain, 543, 546, 549, 551.
Porteous riot, the, 543, 546, 549, 550, 551.
Porter, Mr. (cipher name), 554.
Port Glasgow, 398.
Portmoak, minister there, 528.
Portmore, Lord, 556.
Portuguese, the, 387.
Postal arrangements for packets between Scotland and England, 417, 418, 529.
Postmasters General, 418.
Post-Office, General, 418.
pensions, 489.
Pot, Alice de, future spouse to Alan de Balmossy, 6.
Robert, burgess of Dundee, 6.
his son John, 6.
Pottages, 19.
Poultry, 19.
Poury Ogilvie, Laird of, 47, 48.
Powder:
manufacture of, 169.
and shot supplies, 209, 212.
see also Ammunition.
Prague (Pragg), 149.
Prate (Pratte):
John, 1, 4.
William, vicar of Aberdeen, 5.
Prediction of troubles, xix, 198.
Premiums, 343.
Prendergast, William of, 6.
Presbyterian church government, xxiv, xxv, xxviii, 204, 207, 318, 340, 388, 426.
Presbyteries:
Edinburgh, 200.
Hamilton, 510.
addresses from, 434—436.
President:
of Privy Council, his office, 134, 135, 145, 169, 251, 374, 381, 418, *see also* Melrose, Earl of.
of the Session, 241, 246, 346, 402, 408, 410, 415, 418, 423, 469.
Preston (Prestoun):
of Penicuik, Mr. John, 66, 67.
Surgeon-Major, George, 388.
. . . . , wounded, 263.
town of, 192, 227.
bailies of, 193.
battle of, xxvii.
in Lancashire, 320, 514.
Prestonhall, Laird of, 360, 363, 480.
Prestonpans, 395, 397, 399, 503.
Pretender, the, xxv, xxvii, 437, 438, 441, 448, 508, 517, *see* King James the Eighth.
Primrose (Prymrois, Prymrose):
Archibald, collector of fines, 76, 109, 110, 115, 116, 118, 120, 121, 172, 181.
Mr. D., signs as a witness, 195.
Gilbert, surgeon, 42.
James, clerk of the Privy Council, 171, 181, 203.
Prince of Wales, 51.
Prince's bill, 227.
Pringle:
Francis, professor in St. Andrews, 347.

Pringle—*continued*
George, servant to Thomas, Earl of Melrose, 162.
Privy Council of Scotland :
133, 134, 206, 252, 253, 293.
its relation to the sovereign, 145, 146.
alterations by King Charles the First, xiv, xvi, xvii.
conferences with that King, 133—146.
appoints the signing of the Solemn League and Covenant, 200.
the French King treats with it, 200, 201.
letters to and from it, 27, 94, 103, 104, 129, 169, 195, 200, 207, 208, 219, 220, 221.
after the Union, 393, 394, 395, 412, 413, 421, 423, 424, 426, 428, 429, 432, 435, 437, 438, 487, 489.
clerk of, *see* A. Henderson, John Andro, James Primrose, William Paterson.
President of, *see* Menteith, Earl of.
books of, 52.
Privy Council of England, 183, 393, 486.
Privy Council of Great Britain, 392.
Privy Seal :
Lord, 219, 266, 431, *see* Duke of Athole, and Earl of Rothes.
office of the, 258, 442, 480.
record of the, 426.
Proclamation against riots during the sitting of Parliament (1707), 339, 340, 348, 363.
Produce exported annually from Scotland, 70—74.
Protections to debtors, 134, 136.
Protestant religion, 217, 218, 370.
in France, 91—93.
endangered by the schemes of Mary, Queen of Scots, 25.
Protestant States, to be united in resisting Roman Catholicism, 201.
Protestant succession, the, 251, 256, 310, 323, 324, 505, 506, 509.
Prowand, Mr. John, a witness, 31.
Prussia, King of, 239.
Prussian troops, 225, 267.
Pudsey of Chapeltoun, Thomas, 114, 115.
Pulteney, William, Esquire, afterwards Earl of Bath, xxviii, 529, 531, 534, 536, 540.
Punte, Mr. Robert, 77, 84.
Purse, the, 396.
Purser, office of, 469, 470.

Q

Quakerism, 481.
Quarter sessions, their fines, 180.
Queen, the, (1715), 516, 518.
Queen's Bench, 481.
Queensberry :
Duke of, James, Secretary of State, xxii, xxiii, xxvi, 219, 220, 227, 231, 234, 236, 240, 243—247, 258, 259, 261, 266, 270, 272—276, 280, 371, 389, 392, 393, 401, 405, 406, 409, 411, 423, 427, 439, 441, 442, 444, 449, 454—458, 463, 469, 477, 480, 485, 491, 534, 553, 557; his death, 491; letters to and from him, 228, 229, 230, 232, 237, 455, 489; his daughter Mary, 237, 238.
Duchess of, 234, 244, 442.
Quhithill, Gilbert, sheriff clerk of Forfar, 38.
Quilts, lands of, 2.
Quince, Sir Peter, (cipher name), 554.

R

Rafford, 87.
Raitt :
Alexander, 488, 491.
Mr., 315, 351, 427.
Ramsay :
Colonel, his death, 398.
Sir David, 377.
David, 182, 185, 187, 191n.
Donald, 182.
Gilbert, servant, 18.
Sir James, xviii, 185, 186, 190.
Mr. John, in Wester Bynning, 36.
Patrick, the King's servant, 90.
Robert, rector of New College, St. Andrews, 347.
Lieut. General, 238.
Randolph :
see Moray, Earls of.
Thomas, Esquire, Master of the Posts, 23, 27, 28.
Rankeillor, Lord, 291.
Rannald, Patrick, pastryman, 18.
Ransoms, payment of, 271.
Raploch :
laird of, 507.
lands of, 215.
Ratcliff, Colonel, (cipher name), 555.
Rates, book of, 98, 297, 301, 304.
Ratho, lands of, 7.
Ratlife, Doctor, 488.
Raveline (Aravlen), 464, 465.

Read, Sir William, (cipher name), 555.
Reay (Rae):
Lord, Donald, xviii, xix, 182, 183, 184, 184n, 185—191, 191n; his son, John Mackay, as a witness, 191.
Lord, 433, 555.
Rebellions in the Highlands, 220, 222.
Recognitions, 179.
Records, public, xxviii, 426, 523.
Redbraes Castle, 241.
Ridpath, ... , author of the *Flying Post*, 319, 326, 356.
Reeves, Doctor, counsel at law, 191n.
Reformation, the, 240, 300, 526, 527.
Regents of Scotland, iv, vi, 13, *see* Earls of Lennox, Mar, Moray, and Morton.
Regiments:
raising of, 206.
the King's, 210.
the Earl of Mar's, 210, 211, 214.
Register, Lord Clerk, 457, 461, *see* Gavin, bishop of Aberdeen, Mr. James Foulis of Colinton, James Johnston, Sir James Murray of Philiphaugh.
Register of Hornings, 180.
Reid:
Andrew, 502.
George, 502.
Religion, laws anent Papists, 217—219.
Remissions, general, 23, 181.
Renfrew, barony of, 7.
Rental:
of Mar and Garioch, 1.
of the Crown property in Scotland, 254.
Renton:
James, 125.
Thomas, merchant in Edinburgh, 502.
Rents:
H.M. Commissioners for, 74, 77, 82, 87, 90, 91, 96, 107, 108, *et passim*.
Receivers of, 287, 288, 291.
Requests:
Master of, 107, *see* Sir James Galloway.
——, office of, xix.
Ressuchet, lands of, 3.
Ressuneth, John of, deceased, 6.
his daughter Margaret, 6.
Restoration, the, xx.
Revenues:
of Scotland, their impoverishment, xii, 78, 94, 109, 114, 168.
proposals for their increase, 163—168, 179—181, 201, 412.
collecting of, 99, 104, 120, 132, 163.
Revocations:
of King James the Sixth, 139.
of King Charles the First, xvi, xviii, 135, 139, 140, 141, 146, 152.
Revolution:
(of 1688), the, xix, xxi, xxiv, 265, 300, 369, 387, 438, 510, 517, 525, 526, 536, 543.
Revolutionists, 274.
Rhine, the, 232, 239, 396.
Richards, Colonel, 263.
Richardsoun, Mr, Robert, Commendator of St. Mary's Isle, 28.
Richie, William, 502.
Richmond, letters dated there, 24, 26.
Rideston, 187, 191n.
Rig, William, bailie of Edinburgh, 125.
Riots about the Union, 298, 299, 300, 310, 313, 318, 322, 325, 335, 338, 412, 448.
Rivers, Lord, 295.
Rob, William, coalgrieve, 208.
Robert the First, King of Scotland, (Robert the Bruce) iii, v, vn, 2, 3, 4, 215.
Robert the Second, King, iv.
Robert the Third, King, iv, 7.
Robert, son of Stephen, 3.
Robertson, William, an under clerk of Session, 501.
Rochelle, La, 92.
Rochester:
Earl of, Robert, 69, 70.
Earl of, Laurence, 487.
Rollo:
Lord, 556.
J., signs, 224.
Rollok, Mr. Robert, minister of Edinburgh, 46.
Roman Catholics:
Acts against them to be enforced, xi, 123, 201, 386.
in Parliament, 217—219.
their policy in Britain before the Revolution, 198.
priestly intrigues with the nobility, xi, xii, 62, 151.
in the Highlands and Galloway, 430, 481, 487, 493.
Rome, 403, 518, 521, 528.
Rooremond, 226.
Rosdow, house of, 38.
Rose of Kilravock, ... , 244.
Arthur, son of Lady Kilravock, his ransoming, 271.
Rosebery, Earl of, Chamberlain of Fife, 254, 369, 371, 374, 375, 394, 451, 555.
Ross:
Earls of, an Act of Parliament of James III, anent their creation, 238.
Earl of, John, 17.
Lord, his troop of horse, 216.
——, at the Union, 229, 238, 292, 351, 374, 375, 376, 377, 557.
——, 555.
Bishop of, (Patrick Lindsay), xiv, xv, 132, 136, 139, 144.
Alexander, clerk to the Court of Justiciary, 507.
Captain, 276, 501.
John, a servant, 501.

Ross—*continued.*
Canon of, *see* Sir John Cromdale.
Chamberlain of, 244.
Chancellor of, *see* Mr. David Chalmer.
Sheriff of, 244.
Rothes:
Earl of, John, 17, 155, 197.
——, John, xxii, 234, 255, 266, 315, 370, 372, 375, 376, 439, 554, 557.
Duke of, John, Chancellor of Scotland, 208.
Rotterdam, 213, 399.
Rousselaer:
466.
camp at, 465, 468.
Row:
Archibald, 226.
Colonel, 224.
Row's regiment, 252.
Rowand, William, servant, 38.
Roxburgh:
Lord of, 49.
Earl of, Robert, Lord Cessford and Cavertoun, xviii, 112, 127, 131, 132, 142, 160, 182, 183, 184, 186, 190, 191n, 195.
Duke of, John, xxii, 229, 231, 234, 294, 297, 309, 335, 336, 372, 375, 378, 382, 384, 419, 423, 427, 448, 451, 480, 553, 556.
Royal Mary, the, a ship called, 262.
Royal William, a frigate, 246, 262.
Royston:
101.
letters, etc., dated there, 65, 69, 81, 83, 85, 91, 102, 103, 115, 116, 118, 126, 127.
Lord, 507, 508
Ruglen, Earl of, 282, 554.
Ruthenache, lands of, 3.
Rutherford:
Lord, 556.
Alexander, burgess of Aberdeen, 10.
Ruthven:
Earl of, his letter to the Master of Mar, 30, *see* Gowrie, Earl of.
Sir Andrew of, abbot of Coupar, 4.
Ruthwan, Easter, lands of, 2.
Rutland, Earl of, his daughter Lady Jean Maners, 150.

S

Sacramental test, 318.
St. Andrew, the, a ship of Leith, 260.
St. Andrews:
Archbishop of, William, 2, 4.
——, Henry, 7.
——, Patrick, 8.
——, James, Chancellor, 13.
St. Andrews—*continued.*
Archbishop of, John (Hamilton), 17, 32.
——, John, Chancellor, 93, 102, 132, 134, 144, 155, 169, 175, 194, 195.
——, James, 208.
——, Arthur, 217, 219.
prior of, John, 13.
archbishopric or diocese of, 8, 9, 38, 77.
city of, 80, 175, 347.
minister of, *see* Mr. GeorgeWishart.
priory of, 27.
University of, 175, 428.
New College of, 86, 87, 175, 347, 477.
St. Clair:
Lord, 435.
Henry de, *see* Orkney, Earl of.
John, 117.
St. Fillan and his well, xxviii, 557—559.
St. George, days of, 108.
St. George's Channel, 271.
St. Germains, 251, 275, 340, 348.
St. James's Palace, 222, 240, 271, 469, 534.
St. John:
Secretary, 404, 417, 419, 488.
of Jerusalem, 7.
St. Johnstoun, *see* Perth.
St. Luis le Tere, camp at, 270.
St. Malo, xx, 206.
St. Mary of Monymusk, 5.
St. Marie Ile, Commendator of, 28.
St. Ninians:
ministers of, 260.
parish of, 424.
St. Paull, 233.
St. Powall's, in London, *see* London, St. Pauls.
St. Renelde, 442.
St. Thomas of Arbroath, 5, 6.
Salamander, ship called the, 15.
Salaries, payments of and petitions for, 410, 414, 437, 442, 461, 462, 463.
Salisbury:
Bishop of, 378. 498.
letters dated at, 121, 131, 132.
Salmon fishing, 256, 420, 547.
Salt duties, 72 310, 313, 332, 333, 344, 349, 356, 357, 358, 360, 361, 362, 541.
Salters, 213.
Salton, Laird of, *see* Fletcher.
Salutes, firing of, 212.
Sandelands, Mr. Robert, moderator of the synod of Lothian and Tweeddale, 439.
Sanquhair, 80.
Santlar, Miss, (cipher name), 553.
Sappata, Cardinal of, 148, 149.
Sarum, Bishop of, 427.
Savoy, Duke of, 279, 324, 419.
Savoyan ambassadors, 150.
Sawmills, 222.
Scandover, John, 106.
Scarborough, Lord, 532.

Schelde, the river, 459, 467.
Schene, Reginald de, 5.
Scholar, the Poor, (cipher name), 554.
Schools, 87.
Scona, Patrick de, deceased, burgess of Aberdeen, 6; his daughter Marie, wife of William de Tory, 6.
Scone:
Lord of, 89.
D., signs, 67.
abbacy of, 38.
Scott (Scot):
of Scotstarvet, Sir John, knight, Director of Chancery, xiv, xvi, xvii, 137, 139, 141, 143, 144, 169, 175.
Sir Alexander, deputy, 14.
Robert, grandfather of Sir John Scott of Scotstarvet, 143.
Robert, bailie of Dundee, 6.
Sergeant, 500, 501, 502.
Mr., 276, 441.
Scots:
army in the Civil War, 204.
prisoners, the affair of the, 434—474.
Scotland:
David, a criminal, 392.
Queen of, Isobel, 215.
stewartry of, 7.
Scotland Well, chapel of, 528.
Scottish Crown, claims by the Dukes of Hamilton thereto, 313, 320.
Scrymgeour of Dudhope, Sir John, knight, 10.
——, ... 85, his lands and estate, 214.
Alexander, professor in St. Andrews, 347.
Seafield, Earl of, James, Chancellor of Scotland, 233, 236, 237, 259, 261, 264, 270, 271, 274, 279, 280, 284, 289, 299, 303, 304, 306, 309, 312, 323, 326, 328, 329, 338, 339, 341, 348, 351, 371, 374, 381, 392, 393, 395, 400, 404, 408, 414, 415, 417, 421, 423, 426, 442, 448, 449, 479, 555; letters to and from him, 222—224, 233, 236, 273, 400, 401, 404, 405, 408, 411.
Seaforth:
xviii, 183, 185, 186, 187, 189, 190.
Marquis of, 430, 434, 512, 513.
Seal:
great, 396.
——, keepers of the, 392.
privy, keepers of the, 392.
quarter, 76.
of the Order of the Garter, 108.
renewal thereof, 76.
Secession Church, (1733), xxviii, 531, 541—544.
Secretaries of State, 24, 258, 374, 381, 392, 415, 416, 417, 418, *see* Sir Thomas Erskine of Brechin; Sir William Alexander; Lord Binning; Sir Richard Cockburn of Clerkington; Earl of Melrose; Alexander, Earl of Moray; William, Marquis of Annandale; John, sixth Earl of Mar; Hugh, Earl of Loudoun; James, Duke of Queensberry; James, Duke of Montrose.
English, 320, 353, 415, 416.
of Great Britain, 480, 528; *see* Townshend, Viscount.
Secretary Depute, 418.
Secretary-in-Waiting, 247.
Security, Act of, xxiv; *see* Church.
Sedan, 91, 93.
Segar, Sir William, knight, King at Arms, 191n.
Selkirk:
Earl of, 339, 476, 554, 557.
Laurence, 502.
Seller, William, 501.
Semple (Sympill):
Lord, 26, 53, 555.
John, 7.
Session, Lords of, 95, 387, 481; royal letters to them, 112, 113, 129, 146, 147, 171; appointment of, by King Charles I, xiv, xvii, 132, 133, 137, 139, 141, 142, 143; other appointments, 286, 287, 288, 291, 294, 297, 386, 458, 477, 524, 531, 535; they seek increase of salaries, 410, 414, 462, 463, 478.
books of, 137, 152.
President of the, 462, 463, 481.
a quarrel in the, 461, 462.
a strange case before them, 517.
Seton, (Seaton, Seyton):
of Blair, Alexander, 10.
of Tullibody, J., 40.
——, Walter, 17.
Mr. David, parson of Fettercairn, 9.
Elizabeth, widow of Alexander Gordon of Abergeldie, 10.
Mr. James, servant to the Duke of Lennox, 121.
Mr. James, 76.
Roben, 358.
Mr., 322, 360.
family of, vii.
the King at, 80.
Sexton, the, (cipher name), 554.
Shank, 216.
Sharp:
Archbishop, xxi.
of Stonyhill, Sir William, 254.
Colonel, 417.
Lieut.-Colonel, 464.
Shaw:
of Greenock, Sir John, 398.
of Sauchie, Alexander, 119.
——, James, 40.
——, family of, 119,
Andrew, vagabond, 206.
Shepherd, Mr., 358.
Sheriff, the, (cipher name), 555.
Sheriff courts, their books and fines, 180.
Sheriffmuir, battle of, xxvii, 514.

Shetland, 88, 108, 109.
Ship :
called the *Salamander*, 15.
King's, in Scotland, 101, 117.
Scottish, at Dantzic, 262.
Ships :
special references to, 255, 256, 260, 262, 296, 317, 386, 391, 392, 418, 419.
captured, 238, 266, 270, 386, 395 397, 399, 433.
Shout (Shute), Mr., 292. 305, 311, 351.
Shrewsbury :
Duke of, 53, 56, 223, 487.
Lady, 53.
Shultz, Lieut.-General, 225.
Signatures, compositions for, 181.
Signet :
the, 397.
keeper of the, 389, 392, *see* Mr. James Erskine *and* John, sixth Earl of Mar.
Silesia, 94, 149.
Silver :
for coining, 28.
plate, 102.
Sim, ... , in St. Andrews, 477.
Sinclair (Sinklar) :
Lord, 200, 555.
of Ethay (Edy) in Orkney, William, 69, 84.
Alison, keeper of the infant King's clothes, 18, 19.
Doctor, and his son Charles, 501, 502.
Skellater, Laird of, younger, 197.
Skene :
Laird of, 10.
Alexander, servitor to the Laird of Skene, 10.
minister of, *see* Mr. Gilbert Keith.
Skins and hides, exports of, 71.
Slates, John, *see* John, seventh Earl of Mar.
Sletzer, Mr., 220.
Slingsby, Mr., 403.
Slowan, Jok, porter, 18, 20.
Sly Boots, (cipher name), 555.
Small pox, 237.
Smetoune, Andrew, in Edinburgh Castle, 39.
Smith (Smyth) :
J., provost of Edinburgh, 197, 200.
Mr., Speaker voted for by the Whigs, 237.
. . . . , a servant, 351.
Smiths, 213.
Smollett :
J. A., signs, 224.
Tobias, signs, 224.
Smuggling, 99.
Soap boilers, 213.
Society for Propagation of Christian Knowledge, institution of, 482.
Soissons, Count de, his marriage, 148.
Soldiers, *see* Military.
Solemn League and Covenant, xix, xx, xxv, 200, 519.
Solicitor General, 272, 406, 411, 504, 506, 550.
Solomon, Sir, (cipher name), 553.
Somerset, Earl of, Robert, Treasurer, xi; his signature, 76.
Somervell, ... , 520.
Sommers, Lord, 332.
Sound, the, 262, 266.
South Britain, 426.
Southesk, Earl of, 206, 219, 554.
South Sea Bubble, 521.
Spain :
94, 393, 396, 417, 423, 487, 518, 543.
Court of, 148, 149.
King of, 47, 57, 58, 123; his third son made a cardinal, 148.
Spaniards, 176, 267.
Spanish :
ambassadors, 123, 124, 150.
factions, 185.
marriage proposed for Prince Charles, xiii, 123, 124.
wars, 221, 224, 232, 260, 277, 295, 351.
Friar, the, (cipher name), 555.
Spence :
Thomas, 412.
William, Secretary to the Marquis of Argyll, xxi, 216.
. . . . , lainer, 501.
Spinola, 93.
Spittell, Ja., signs, 224.
Spizzo Ferro, (cipher name), 554.
Spot, James of, 7.
Spottiswoode of Dairsie, Sir John, knight, 175.
Sprig, the, (cipher name), 554.
Squadron Volante, the, or Flying Squadron, xxii, xxiv, 268, 367, 371, 372, 379, 382, 384, 414, 419, 420, 421, 422, 423, 425, 426, 428, 429, 439, 44,9 450, 451, 452, 469, 475, 476, 522, 523.
Stair, Earl of, 225, 227, 228, 230, 240, 241, 246, 258, 261, 279, 285, 304, 362, 371, 374, 442, 453, 459, 534, 555, 557; letters to and from him, 243, 450, 458, 465, 468, 532, 544.
Master of, 225.
Stamford, 272.
State Papers, Calendar of, references to, 26n, 27n, 30n, 45n.
States General, the, 44, 57, 58, 224, 225, 226, 239, 469.
Stears. *See* Stair.
Steinkirk, 389.
Stephen, son of, ... , 3.
Stephen (sons), Robert and William, 3
Stervilling, *see* Stirling.
Stevinson, Patrick, late Treasurer of Stirling, 347, 355.
Steward :
courts, 130.
of Scotland, James, son of King Robert III, *see* King James I. of Scotland.

Stewart (Steward, Stuart), *see also* Earls of Angus.
Alexander, Earl of Mar and Garioch, iv.
John, Earl of Mar and Garioch, iv.
Lady Mary, Countess of Mar, wife of John, seventh Earl of Mar, and sister of the Duke of Lennox, 59, 124, 178, 178n.
of Ardsell in Lorne, John, 91.
of Ardvorlich, Mrs., 559.
of Coldingham, John, 114.
of Down, James, knight, 17.
of Kilbryde, James, 7.
of Pardivan, . . . , 290.
of Shillinglaw, Sir Robert, 113.
of Traquair, Sir John, 160, 161.
Allan, captain of the King's guard, 11.
Captain Archibald, brother of Alexander, Earl of Moray, and Lieutenant-Governor of Stirling Castle, 212.
Captain, 219.
Christian, daughter of the Lord of Coldingham, 1819.
Dougall, brother of the Earl of Bute, 324, 436, 438, 443.
Helen, 42.
James, son of Donald S., 501.
James, signs, 17.
Colonel John, 399, 412.
Mr. John, 32, 33.
John, the King's natural brother, 7.
Jo., ensign, 258.
Josias, 136.
Lieutenant, 4.
Lieut.-Colonel, 501.
Dame Mary, second wife of John, second Earl of Mar, 41, 171.
Robert, Lord of Lorn, and his daughter, vi.
Ro., signs, 224.
Walter, gentleman of the Privy Chamber, 95, 106, 111.
William, 24.
Mr., deputy keeper of the Great Seal, 396.
Mr., 292, 406.
House of, xxii, xxvii.
Stirling:
Earl of, 554.
of Keir, Sir Archibald, 40.
William, 8.
John, principal of Glasgow University, 240, 241; moderator of assembly, 388, 391, 434, 461, 484.
town of, xxi, 8, 12, 31, 34, 47, 50, 80, 131, 194, 206, 220, 221, 223, 260, 316, 317, 326, 355, 432, 470, 471, 472, 512, 513, 516, 543, 544; letters, etc., dated there, 7, 8, 9, 14, 15, 17, 20, 21, 31, 36, 43, 44, 59, 347, 348, 530; feeling there against the Union, xxv, 347, 348, 353, 357.
Stirling—*continued.*
town of, special streets and buildings,
Friars Wynd, 355.
the Cross, 347, 353.
parish kirk, 175.
park of, 12, 13, 14, 131.
tolbooth, 14, 210.
bailies of, 17, 44.
clerk of the burgh courts, 17
commissary of, 194.
lordship of, 195, 207, 215, 227; bailie thereof, *see* John, Lord Erskine.
magistrates of, 17, 23, 33, 348.
minister of, *see* Mr. Joseph Lowrie.
presbytery of, xxviii, 541—544.
provost of, *see* John Craigingelt of that Ilk.
treasurer of, 347, 355.
Castle of, ix, xx, xxi, 11, 12, 13, 21, 22, 30-33, 39, 40, 60, 61, 67, 75, 182, 185, 195, 207, 208, 211, 214, 215, 219-222, 233, 305, 357, 470, 510; letters, etc., dated there, 17, 31, 32, 35, 45, 196, 436, 484.
——, Captains of, *see* Earls of Mar.
——, inventories of the Artillery and defences thereof, 34, 35.
——, Lieutenant-Governor of, *see* Captain Archibald Stewart.
Stirlingshire:
vii, xxviii, 15, 206, 215, 441, 444, 511.
gentlemen and lairds of, 449, 450, 474, 476, 477.
sheriff of, 8, 15, *see* John, Lord Erskine.
sheriffship of, 195.
Stokrogis, hospital of, 7.
Stonehouse, Sir John, 486.
Stonyhill, 254.
Stormont:
Viscount of, 119, 147, 264, 444, 476, 555.
M., signs as a witness, 195.
Strabrok, William de, 6.
his grand-daughter, Marie de Scona, 6.
Strachan (Strauchin, Strauquhen):
of Glenkindie, Alexander, and his wife, 10.
——, Alexander, younger, and . . . . , Urquhart, his wife, 10.
——, Alexander, elder, 207.
——, Alexander, younger, and his son Andrew, 207.
of Thornton, Sir Alexander, xiv, xv, xvi, 132, 179.
Adam, and Margaret, his wife, 2.
Captain, 216.
Sir John, knight, 1, 3.
Marjory, mother of John Blackhall of that Ilk, 10.
Strafford, Earl of, 499, 505.
Straiton, Captain Charles, 220.
Strand, the, in London, 311.

Strathallan, Viscount of, 219, 555.
Strathdee, 191, 206.
Strathdon :
xix, 2, 206, 222.
military conscription in, 197.
Strath Fillan, 557, 558.
Strathhenrie, Laird of, 46.
Strath Mallachan, lands of, 89.
Strathmore, Earl of, 219, 261, 266, 363, 441, 476, 554.
Strathnaver, Lord, 252, 415.
Strevelyne :
Henry of, 3.
see also Stirling.
Strowan, Laird of, 512.
Submissions, 160—162, 195.
Succession, Act of, 229, 234, 320, 323.
Suffolk :
Earl of, Lord Treasurer of England, 75.
Lady, 541.
Suisses, the, 149.
Summers, Will, (cipher name), 553.
Sunderland, Earl of, Secretary of State for England, 285, 308, 332, 353, 377, 444, 445, 448, 450, 453, 460, 474, 475, 479, 483.
Superiorities, 159.
Superstitions as to wells, xxviii, 558.
Supply, Act for the, 314.
Supplies, voting, 301, 302, 486.
Supremacy, Act of, 144.
Surgeons, 428.
Surrey, 536.
Sutherland :
Earl of, William, 2.
——, John, 255, 374, 416, 427, 512, 554, 557.
John, 32.
Mr. William, 311.
Sutton, Mr., (cipher name), 554.
Sweden :
9, 187, 226, 232, 540.
King of, 179, 221.
Swinton (Swynton) :
Henry, 512.
Sir John, Lord of Mar, and his wife, iv.
Swords, 206.
Sybil, the, (cipher name), 553.
Syme, Jo., professor in St. Andrews, 347.
Synods, addresses of, 436, 439.

T

Tagus, the river, 295.
Talbot, Richard, iv.
Taliduce, 223.
Tannadyce, kirk of, 86.
Tanning Reform, 82, 195.
Tarbay, 295.
Tarbet :
Viscount, 219, 220.
sheriffdom of, 85.
Tassenie, Sir John of, rector of Kinduny, 1.
Tate, Mr., (cipher name), 554.
Taxation :
xvi, 145, 171, 298, 202, 342, 378, 541.
granted to the King in 1621, 181.
of Edinburgh and other burghs, 105, 106.
Taxations :
accounts of, 500.
clerks of the, 171, 172.
collector of, *see* John, seventh Earl of Mar.
Tay, river of, 513, 557.
Taylor (Tailzior) :
Mr. J., 399.
Thomas, professor in St. Andrews, 347.
Mr., 405.
Teinds :
68, 70, 156, 159, 160, 161, 162, 170, 171, 378, 424.
surrenders and, commissioners for the, 162, 170.
Temple, Sir Richard, 224.
Tereen, Monsieur, (cipher name), 554.
Terrawlie, barony of, 194.
Terriers, or earthdogs, xiv.
Test, oath of the, 216, 218, 318, 365.
Testament of King James V, 15.
Testimony, Act, Declaration and, of the Secession Church, 542.
Teviotdale, 216.
Theobalds, letters, etc., dated there, 83, 85, 86, 88, 89, 90, 96, 97, 103, 106, 107, 108, 109, 111, 114, 117, 118, 119, 120, 121, 125, 126, 129.
Theology, bursaries for, 369.
Thieves' holes, 221.
Thirlstane, Lord, John Maitland, Chancellor of Scotland, 37, 38, 42, 43.
Thistle, Order of the, xxiii, 272, 514.
Tholoon, 411.
Thomson :
of Queenshaugh, 501, 502.
David, piriwigmaker, 502.
James, in Mains of Tollie, 10.
Thon, Earl of, his son David, 5.
Thornick, lands of, 122.
Thorntoun, Laird of, 137, 142, 143.
Tibbermure, church of, 83.
Tillicoultry, Lord, 272, 273, 291, 415, 472.
Tilting at King Charles the First's coronation, 149, 150.
Timon, Lord, (cipher name), 554.
Tithes, *see* Teinds.
Titles, the effect of the Act of Revocation upon them, 152.
Tittenhanger, 463.
Toast, the Old, (cipher name), 554.
Tobacco, 395, 396.

Toldiwhill, 197.
Toldsheuch, 198.
Toledo, Cardinal of, 149.
Toleration for the Church, 483, 497.
Tollachsyd, lands of, 6.
Tollie, Over, lands of, 2.
Tongue :
  place of, 433.
  bored with a hot iron, 211.
Tories, xxvi, 227, 237, 424, 426, 487, 490, 495, 496, 497, 505, 506, 509, 536.
Torphichen, Lord, 273, 555.
Torthorwell, lordship of, 121.
Torwood, the, 50.
Tory, John de, brother of William, *infra*, 6.
  William de, younger, burgess of Aberdeen, 6; his wife, Marie de Scona, 6.
Tosheoch of Monivaird, David, 88.
Touch, Laird of, 444.
Touchadam, barony of, 8.
Toulon, 419, (Tholoon) 411.
Tour, Henry de la, (Duc de Bouillon), 93.
Tournay, 468.
Tower, Archibald, servitor to Airth, 44.
Tower of London, 241.
Towie :
  Kirk of, its bell recast, 207.
  ——, allocation of seats, 481, 493.
  minister of, 207.
Townshend, Viscount, Secretary of State, 528.
Towrs, Andrew, lieutenant, 11.
Trade :
  as affected by the Union of 1707, 313, 328, 330, 343, 344, 346, 359, 366, 396, 397, 399, 400, 408, 489, 490.
  embassy in behalf of, and protection of merchants, 8.
  coal exports, 213.
  Eastern shipping, 262.
Trading companies, 259.
Trail of Elsnes :
  John, 413.
  Patrick, younger, 413.
  David, 413.
Transires, 393.
Transylvania, 149.
Traquair :
  Earl of, John, Treasurer, 195, 199.
  ——, . . . , 434.
Treasons, Bill of, 478, 492.
Treasurers of Scotland :
  see Douglas of Kilspindie;
  William, bishop of Aberdeen;
  James, Kirkcaldy of Grange;
  William, provost of Lincluden;
  William, Earl of Gowrie;
  George, Earl of Dunbar;
  John, second Earl of Mar;
  John, Earl of Traquair.
Treasurer-depute, 374, 381, *see* Sir Gideon Murray of Elibank and Sir Archibald Napier of Merchiston.
Treasurer, Lord High, of England, (1630), xix, 182, 185, 186, 187, 188, 189, 190, *see also* Thomas, Earl of Denbigh; and Sydney, Lord Godolphin.
Treasurership :
  xiv, xviii, resigned by John, Earl of Mar, and conferred on the Earl of Morton, 173; appointment of Sir Archibald Napier as deputy-treasurer, 116.
Treasury :
  accounts and papers of, 82.
  books of, 500.
  Commission of the, xiv, xvii, xviii, 131, 132, 207, 208.
  Lords of the, 246, 249, 398, 418, 425, 482, 510.
  office of, 138, 139, 141, 153—155.
  officers appointed, 253, 255, 257, 258, 282.
  payments to and from the, 214, 220, 239, 249, 326, 350, 395.
  English, 485.
  chamber, Whitehall, 399, 429, 478.
  house, 132.
Treaties :
  anent Mary, Queen of Scots, 25.
  anent the restoration of the Palatinate, 123, 124.
  anent the Spanish match, 123.
Treaty of Union :
  former, 304.
  of 1707, xxii, xxiii, xxiv, 234, 235, 237, 239, 284, 286, 288, 301.
  presented to the Queen, 271.
  Articles of the, discussed, 284—385.
  in English Parliament, 370—427, etc.
  the Articles burned at Dumfries, xxv; also at Stirling, 347, 348.
Trials :
  of James, Lord Ochiltree, 181—191n.
  of Donald, Lord Reay, 187—191.
Triennial Bill, 234, 535.
Trooper, the Old, (cipher name), 554.
Trumpeters, 16.
Tulialt, lands of, 5.
Tuliocre, lands of, 2.
Tuliquhbr, lands of, 2.
Tullibardine, Marquess of, John, 222, 240, 267, 276.
  see also Murray.
Tully, Nether, lands of, 2.
Turin, 276, 277, 418, 419.
Turkey, 550.
Turner, Sir James, 216.
Turrech (Turriff), rector of, *see* Sir John Crombdele.
Tuttle Fields Weston, a duel fought there, 191n.
Tweed, the, 527.
Tweeddale :
  Marquess of, John, first, 219.
  ——, John, second, xxii, 231, 253, 278, 284, 286, 294, 339, 372, 375, 419, 427, 536, 553, 557.

Tweeddale—*continued.*
Lothian and, Synod of, 439.
Tuedie, . . . , brandy merchant, 502.
Twitinhame, 489, 506.
Tynemouth Castle, 392.

U

Uddart, Alexander, in Edinburgh, 31.
Ulster :
Earl of, Lord Privy Seal of England, 75.
Annals of, iii.
Undersheriff, the, (cipher name), 555.
Union of the Crowns in 1603, 68, 151.
Union :
of Parliaments (1707), vi, xxii—xxvii, 227, 385, 403, *see also* Treaty of Union; books and pamphlets relating to, xxvi, 267, 273, 292, 310, 314, 322, 330, 358, 366.
Commission for the, xxiii, 247, 248, 251.
public opposition to the Union, xxiv, 293, 296, 298, 299, 300, 305, 309, 318, 322, 323, 325, 335, 337, 338, 339, 340, 344, 345, 346, 347, 350, 351, 352, 355, 357, 363, 399, 400, 447, 490—492, 494, 509, 547, *see also* Church and Treaty.
United Kingdom, the, 353, 357.
United Provinces, 201, 213.
Urquhart :
Captain James, 253, 398.
Kenneth, wigmaker in Edinburgh, 549.
. . . . , wife of Alexander Abercromby, fiar of Birkenbog, 10.
. . . . , wife of Alexander Strachan, younger, of Glenkindy, 10.
Usher :
the King's, *see* Alan Durward.
my Lady's, (cipher name), 554.

V

Valantia, 296.
Valiodolie (Valadolid), in Spain, 149.
Vane, Sir Henry, 177.
Vassals, roll of, 9.
Vaus :
of Barnbarrow, Sir John, 91.
Captain, 258, 417.
Veal, 19.
Veitch, Mr., at Dumfries, 520.
Vendosme :
289, 396.
Duc de, 148.
Monsieur de, 466.
Venetian ambassadors, 150.
Venice, State of, 150.
Venloe, siege of, 224, 225, 226.
Verner, . . . , student of law, 502.
Vernon, Commissary Count de, 419.
Vert, . . . , a servant, 502.
Vevers, Duc de, 148.
Veymer, Duke of, 221.
Victual, transportation of, 101, 102.
Vienna, 418.
Vignevanesis, the, 419.
Vilant, Col., dean of the faculty of Arts, St. Andrews, 347.
Villars, Colonel, at Tynemouth Castle, 392.
Villeroy, Monsieur de, 75.
Villier, Monsieur de, (cipher name), 554.
Violers, (musicians), provisions for those attending the infant King, 19.
Voban, Monsieur, 226.
Votes, for and against the Union, 228, *et passim.*

W

Wales, Prince of, 51.
——, pretended, 224.
Walker :
Robert, servant to the King, 81.
William, servant to an advocate, 502.
Mr., Episcopal minister, 430.
Wallace :
James, 501.
Thomas, 208.
Walowe, Sir Philip de, canon, 5.
Walpole :
Horace, 539.
Sir Robert, 441, 534, 539, 544, 545.
Walter, son of Alan, Justiciar of Scotland, 5.
Wanles, his daughter, 45.
Wansted, letters, etc., dated there, 84, 96, 113, 120, 121.
War :
expedition to the North, 42.
Council of, 211.
Wards, nonentries, and marriages of heirs, 163—168.
Warden Courts, 130.

Wardlaw :
Henry of, 6; his son Henry, 6.
Sir Henry, his accounts, 79, 150.
Sir Henry, 500.
Wardres, lands of, 16.
Wardrobe, H.M., 125, master of, *see* John Auchmoutie.
Waterston :
Mr. James, tobacconist, 501, 502.
James, 502.
Watson, John, 477.
Watts, Rev. Isaac, minister at London, 528.
Wauchter, a (ship), 205, 206.
Weat, 225.
Weeb, General, 465.
Webs, Colonel, 224.
Webster, Mr., minister, 422.
Wedderburn, (Weddirburne) :
Mr. Alexander, Clerk of Dundee, 38; his signature, 197.
Weights and Measures, 386, 419.
Wells, pilgrimages to, 558.
Welsh Judges, the, 533.
Welsinghame, Francis, sent as ambassador to France, 23.
Wemyss (Weames) :
Earl of, John, 200.
——, David, 240, 253, 371, 374, 453, 554.
Lieutenant, 464.
Wentworth, Viscount, xix, 191n, 193, 194.
West Country, the, its attitude regarding the Union, xxv, 396, 397, 400.
West Indies, 227, 343, 545.
Westminster :
letters dated there, 27, 28, 29, 30, 150, 469.
Palace of, a chapter of the Order of the Garter held there, 150.
Whale fin, 395.
Whales, a school of, 389.
Wharton, Earl of, 275, 289, 292, 377.
Whigs, 227, 232, 237, 270, 286, 424, 426, 427, 428, 448, 469, 490, 495, 497, 505, 506, 509, 526, 535, 536.
Whitfield, Mr., 553.
Whitefoorde, Mr. Walter, 88.
Whitehall :
149, 150, 418.
conferences at, xi, xiv, 133, 136, 142, 143, 144, 185, 186.
letters, etc., dated there, 60, 61, 64, 66, 67, 68, 69, 70, 74, 75, 76, 77, 78, 79, 84, 88, 89, 91, 93, 94, 98, 99, 101, 108, 111, 117, 122, 128, 129, 131, 133, 146, 147, 157, 162, 163, 169, 170, 171, 172, 173, 174, 191, 193, 196, 211, 212, 222, 224, 251, 255, 263, 266, 268, 271, 272, 273, 275, 277, 279, 281, 302, 306, 311, 315, 316, 320, 322, 326, 329, 332, 347, 353, 356, 359, 372, 377, 378, 382, 383, 386, 387, 390—393, 397, 399, 405, 407, 413, 415, 417, 420, 426—428, 429, 431—433, 435, 437, 441—444, 448, 459, 462, 469, 474, 477, 478, 479, 480, 481, 482, 483, 484, 485, 489, 491, 498, 499, 503, 504, 505, 506, 510.
Whithorn, 483.
Wigton :
Earl of, William, 208.
——, ... , 311, 554.
Wilkie, Thomas, in Canongate, 259.
William the Lion, King of Scotland, iii, 3, 5.
William the Third, King, xxii, 237, 265, 304, 320, 389, 505, 510.
William :
Sir, chaplain of the King, 3.
Lord of Crust, 4.
son of Stephen, 3.
reference to one called, 158.
William, the, a ship called, 262.
Wilson :
Mr. Gabriel, minister at Maxton, xxviii, 519.
Robert, 501.
Rev. William, minister of Perth, 530, 542—544.
. . . . , execution of, 549.
Winchelsea, Earl, 533.
Winchester, Dean of, 172.
Windsor :
272, 281, 405, 406, 414, 487.
Castle, letters, etc., dated there, 90, 95, 113, 119, 125, 126, 131, 210, 211, 213, 235, 405, 458, 459, 461.
Wines :
19, 73, 260.
imposts on, 68, 98, 421.
claret and red, 395.
smuggled, 396, 397.
Winingstoune, Sir Francis, 211.
Winsington, 275.
Winter provision for the King's household, 19.
Winton :
Earl of, George, third, 132.
——. George, fifth, 417, 419, 554.
Winwod, Sir Ralph, English Secretary, 75.
Wishart (Wischart, Wiseheart) :
Mr. George, minister at St. Andrews, 175.
Mr. William, minister at Leith, Moderator of the General Assembly, 257.
Withers, Sir William, 486.
Wood (Wod) :
of Bonyetoun, Patrick, deceased, 66; Sir David, and Harry, his sons, 66.
Sir Archibald, husband of . . . Keith, Lady Blakfurd, 10.
(Vood), Mr. James, servant to Lord Marischal, 137, 138.
Mr., 233.
. . . . , owner of a Montrose ship, 397.
Wood merchants, 213.
Woodstock, 247.

Wool, coarse, 365.
Works, Masters of, 122, 127, 130, 168, 360.
Wortly, Mr., 485, 486.
Wothingtoun, Harry, 49.
Writers to the Signet, 386, 397.
Wylie :
Mr. John, minister at Clackmannan, xxviii, 521.
Mr., minister at Hamilton, 337, 355; his book on the Union, 273.
Wynendale, battle of, 466.

Y

Yela, *see* Islay, 304.
Yeoman of Kent, (cipher name), 554.
Yetland, *see* Shetland.
Yorstoune, John, baker, in Edinburgh, 501.
York, Duke of, 221.
Young :
Doctor John, Dean of Winchester, 172.
Doctor, Bishop of Edinburgh, 258.
N., professor in St. Andrews, 347.
Mr. Peter, tutor to the young King James VI, viii, 30.
William, professor in St. Andrews, 347.

Z

Zetland, 260. *See also* Shetland.
Zouna, Duc de, Governor of Naples, 149.

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PUBLIC RECORD OFFICE,
CHANCERY LANE,
LONDON, W.C.

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1891	(9.) APPENDIX AND INDEX - - - The Duke of Beaufort, K.G., the Earl of Donoughmore; J. H. Gurney, W. W. B. Hulton, R. W. Ketton, G. A. Aitken, P. V. Smith, Esqs.; Bishop of Ely; Cathedrals of Ely, Gloucester, Lincoln, and Peterborough; Corporations of Gloucester, Higham Ferrers, and Newark; Southwell Minster; Lincoln District Registry.	,,	[C. 6338 i.]	2 6
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1892	(4.) APPENDIX AND INDEX - - - Corporations of Rye, Hastings, and Hereford; Captain F. C. Loder-Symonds, E. R. Wodehouse, M.P., J. Dovaston, Esqs., Sir T. B. Leonard, Bart., Rev. W. D. Macray, and Earl of Dartmouth (Supplementary Report).	,,	[C.6810]	2 4
1892	(5.) APPENDIX AND INDEX - - - House of Lords, 1690–1691.	,,	[C.6822]	2 4
1893	(6.) APPENDIX AND INDEX - - . Sir W. Fitzherbert, Bart.; the Delaval Family, of Seaton Delaval; the Earl of Ancaster; and General Lyttelton-Annesley.	,,	[C.7166]	1 4

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HISTORICAL MANUSCRIPTS COMMISSION.

[53]

REPORT

ON THE

MANUSCRIPTS

OF

LORD MONTAGU OF BEAULIEU.

Presented to Parliament by Command of Her Majesty.

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INTRODUCTION.

The MSS. of Lord Montagu of Beaulieu have originally formed part of the great collection now at Montagu House, as is shown by the mounting of the papers and the binding of the volumes, and this Report may therefore be considered as an appendix to that on the Buccleuch MSS. issued by the Commissioners in 1899. The volumes at Beaulieu, however, form a small but complete collection in themselves, being numbered consecutively and their contents having evidently been selected with care, as specimens of "Papers and letters on public events," "Letters and autographs," and "Papers on Scotch affairs." These are arranged in the manner described on p. 213 of the Buccleuch Report. There is also one volume, not uniform with the rest, of "Orders, passes and commissions" mostly of the reigns of Charles II. and James II., which volume also contains many miscellaneous documents, including a series of letters to Queen Elizabeth's Earl of Leicester. The papers in it are not mounted at all, but stitched into the binding. Many of the documents relating to public events, and notably those on Scotch affairs, are copies of speeches and other papers already in print, or preserved amongst the State Papers, and these it has not been thought necessary to notice, but there are two documents of considerable importance which it may be well to mention before speaking of the correspondence which forms the bulk of the collection.

The first is a copy of the instructions to the Puritan clergy deputed to represent their party at the Hampton Court conference. It gives a list of those present, by which we see that many attended in addition to the four learned doctors who were the actual disputants, and this is followed by a synopsis of the arguments. The value of these (which have been considerably condensed, but of which all the points are given) must be left for theologians to decide; but two things may be noted. First, that the puritan party entirely throw over all appeal to the Fathers of the Church, declaring roundly that their views

on many matters were as corrupt as those of the papists; and secondly, that there plainly still lingered in the land much affection for the old forms, for "some of the people (as lamentable experience after so many years' preaching of the gospel doth too plainly witness in most places) . . . do wish that they might have again the old service, alleging that love and charity and plenty never went out of the world, nor that scarcity, hatred and other calamities never entered into it until this new law (for so they term the profession of the Gospel) came up." And in Lancashire and the northern parts, they still garnished the dead with the cross, and set them down and prayed at crosses in the highway; hung the crosses with flowers and garlands on Corpus Christi day with much devotion; wore palm crosses on Palm Sunday, and signed themselves with the sign of the cross "in all their actions, even when they gape" (*pp.* 32-40).

The document contains many quotations from the Fathers, very inaccurately copied by the transcriber, but all of which it has been easy to verify. The passages in the foot-notes have been taken from such editions as would be likely to be in the hands of the writers.

The second paper above alluded to is an important list, which must have been made in 1607 or 1608, of the King's officers and fees, in the great Courts, the royal household, the castles and forts, and his Majesty's houses, parks and forests throughout the realm, together with a list of the nobility, a table of musters, the names of fugitives beyond seas, and the numbers of churches in the shires of England and Wales. This document follows the lines of the great list of Queen Elizabeth's reign, but differs from and supplements it in various respects. (*See note on p.* 51.)

The main part of the collection consists of the correspondence of the Montagu family during the later half of the 16th and the first half of the 17th centuries, and the value of these letters (as of many other collections) lies, it will be seen, not in startling discoveries, not even in any material fresh information, but in the view which they give us of how things struck a contemporary; how these high-minded gentlemen and true-hearted Englishmen looked upon the events passing around them, and how they played their parts in those troublous times.

As regards the Montagu family, there is not much to add to the information given in the Introduction to the Buccleuch Report. In the middle of the 16th century we find the then head of the house, Sir Edward Montagu, filling the office of Lord Chief Justice, first in the King's Bench and then in the Common Pleas, though we do not learn for what reason the usual order was reversed. With three others, he was summoned by Edward VI. to draw up "a book for the succession of the Crown," or in other words, to formulate Northumberland's scheme for diverting the crown from the Lady Mary, and placing it on the head of his son's wife. Sir Edward, in a petition to Queen Mary after her accession (*p.* 4), describes the pressure under which he acted, and even allowing for probable exaggeration, we may well believe that the King's anger and the Duke's rage, the dread of offending the ruling powers and the fear of future consequences, reduced the unhappy lawyer, as he says, to as great fear as ever he was in in his life before. He persuaded himself that it could do no harm to obey the King, considering that the writings so made "were nothing worth for the avoiding of the Act of Succession, which could not be taken away but by Parliament," but this excuse—"a simple and sinewles defence," Sir Edward Coke called it—did not appease the Queen, and the Chief Justice lost his place, had to surrender lands and pay fines, and suffered six weeks' imprisonment in the Tower. And to make matters worse, he had, as he pathetically remarks, seventeen children, six sons and eleven daughters.

In 1556 this first Sir Edward died, and his eldest son, another Edward, reigned at Boughton in his stead. He had served Queen Mary with his followers, as his father states in the above mentioned petition, and as is shown by a letter in the Buccleuch papers (*p.* 222); and in 1560 he was knight of the shire (for this one parliament only) and deputy-lieutenant for the county of Northampton. As such he appears to have failed to gather together a sufficient number of men at the general muster, and to have made excuses which were by no means considered satisfactory at head-quarters; for the Marquis of Winchester—brother of Catherine Parr and Lord Lieutenant of the county—sent down a letter of sharp and scornful reproof, so much like those which the Queen was wont to hurl at her offending subjects that it would almost seem to have been indited by herself. "To be

plain with you," writes the Marquis, "I cannot well tell whether I may rather note an over near preciseness or an over great forgetfulness of duty in the manner of this service . . . I was bold to desire your help and to repose my trust in you, hoping you would have made another manner account of this service than I perceive you have done. The Queen's Majesty looketh at my hands to understand without collusions or respects of old precedents, the very truth and whole numbers indeed of all the able men that be at this present within that shire . . . and I must be fain, in so special a service, to answer her with old precedents and former ordinary musters . . . You say the certificate you have now made exceedeth others that have been of late years there by four hundred men, and I know and dare assure you, there be other shires no bigger than that that do in their present certificates exceed their former ordinary musters by as many thousands as you do hundreds, and stand nevertheless in doubt how their diligence therein will be allowed" (*p.* 9).

After this follow letters on county business and family affairs. In 1586, Sir Richard Knightley of Norton proposes a match for Sir Edward's eldest girl (*p.* 12) and in 1588, Sir Christopher Hatton, the Chancellor, recommends this same Sir Richard and Sir Walter Mildmay as knights of the shire; the latter in place of himself (*p.* 21). A letter from Lord Keeper Egerton, in 1597, urges the suppression of "unlawful games" and the encouragement of archery, complaining that the commissioners have tolerated the former for their own undue gain (*p.* 25).

In 1600, Sir Edward's youngest daughter, Theodosia, or Docy as her brother calls her, married Henry Capell, and on p. 28 is an affectionate letter from Edward, the eldest son, to his mother, offering to come and stay with his parents, as he believes, when his sister has left them, they will not be well-pleased unless some of their children are there. He may earn his victuals, he writes, by playing chess with his father, may take his part at "double hand Irish" and may ease him in such weightier matters as the punishing of rogues and such like. To do his mother service, he will gather fruit and pack it (better, he hopes, than he did the year before) and if none of these things suffice, he will at any rate appreciate what she gives him, especially if he may have fromenty and cheese cakes. He grieves that his mother has been ill, and prescribes a remedy, not from Galen but from

Solomon—viz: that a joyful heart maketh a cheerful countenance; a secret which, if the ladies in town knew, "it might save them much cost that they bestow upon colour and complexion."

The second Sir Edward Montagu died in 1602, and on King James' accession, his son, the writer of the above letter, was knighted. He was chosen as Knight of the Shire for the King's first parliament, having previously served for Brackley borough. Of this parliament of 1604 he kept a journal, from which extracts have been made by a later hand, of such matters as concerned himself (*pp.* 40, 42).

In March he presented certain "grievances" from his county in the House of Commons, *i.e.* 1st, the intolerable burden of the commissaries; 2nd, the suspension of grave and learned ministers for not using certain ceremonies; 3rd, the depopulation caused by conversion of tillage into pasture; excusing himself for daring to address that grave and honourable assembly on the ground that he must rather submit himself to their wise censures than be silent in matters straightly enjoined him by the county which he served, the cry whereof called upon him to make these things known and to beg for relief (*p.* 42).

In consequence of this appeal, the King ordered a conference between the Commons and the Bishops (*p.* 44). He proposed that it should be with the Bishops in Convocation, but this the House "utterly refused to consent to," whereupon his Majesty gracefully retreated, assuring them through the Speaker that he desired not to bring in new precedents or to abridge their liberties, "and therefore he liked well that the House should confer with the Bishops of the Lords of Parliament." When Convocation inhibited the Bishops from conferring, "for that the laity had no authority to meddle in those matters," the House, indignant, chose a committee to deal with "toleration of ceremonies," but soon afterwards the Parliament was prorogued and the matter dropped.

The question of the non-conforming clergy came up again, however, in the following February, when Montagu, the two Knightleys and Sir William Lane delivered a petition against the suspensions which had by this time been carried out. This was handed in on February 9, and brought down such wrath upon the heads of the presenters (*see* Winwood's Memorials, Vol. II., *pp.* 48, 49,) that they hastened to pray for forgiveness. An

apology was drawn up and presented on the 17th, but the King said it was not to the point, and must be framed anew. By this time, however, Montagu and Sir Valentine Knightley seem to have regained their courage, resolved to yield to no more of the like in writing, and refused to sign, in consequence whereof they were put out of all commissions in the King's service (*p.* 45).

Sir Edward was not the only member of the family who had fallen into disfavour with the King, for their mother writes in July that she hears "there is some coals kindling against the Dean" (her son James, Dean of the Chapel Royal). But the Earl of Salisbury interceded in his behalf, and he himself writes that he has seen the King and gathers that he is not much offended (*pp.* 46, 48). Sir Edward made his peace about the same time, kneeling down and protesting that he had "lived as a dead man" ever since he had been in his Majesty's displeasure, and receiving in return gracious assurances from the King that he would rather die than that the papists should increase in his days (*p.* 47). So the cloud blew over, and soon afterwards Sir Edward had an opportunity of shewing his loyalty by drawing up the Thanksgiving after the discovery of the Powder Plot. Amongst these papers is a draft of the Act, in his own hand.

Other letters about this time deal with the disputes concerning Brigstock and the variances with the Judges as to the rights of the Montagues in Serjeants' Inn.

In a letter from Lord Zouche (p. 84) there is a slight allusion to the disturbances regarding the enclosure of common lands in 1608, when the King appointed commissioners to look into the matter, and it was decided that "poor Boughton's enclosures" must go down. In 1617, Sir Edward's correspondents in town send him word that Lord Villiers is made Earl of Buckingham, that Lord Chancellor Ellesmere is sick and Sir Francis Bacon ready for his place, and that Sir Edward Coke has been summoned before the Council, "from whence it is not expected that he will come off fair," the commotion over Sir John Villiers' marriage with Frances Coke having done her father no good (*p.* 93), although, as is well known, he took the side of the suitor, much to the indignation of his wife.

A year later, Sir Edward was involved in a quarrel with John

Williams, parson of Walgrave, on the subject of the King's declaration concerning [Sunday] sports. Apparently he had interrupted the merry-making at Walgrave, by sending a "schismatical and tumultuous constable" into the parish with a warrant to recall some wanderer from Barnwell, which constable loudly maintained that the King's declaration was a bolstering up of sin, that they ought to pray for his Majesty to be brought to a better mind, and that the Sabbath must be religiously kept for twenty-four hours. The matter was reported to the King, and an un-named friend warned Sir Edward that the Council were all on the other side, and that he was like to be foiled, the great argument against him being that if other justices had intermeddled at a feast at Barnwell, to send a warrant of like nature thither, where Sir Edward Montagu did reside, it would have been considered an indignity to him, and "a taxation of his discretion;" and also, that where a man was at church, he was "for that day as of that parish, to take his recreation there." The writer, though doubting nothing of his friend's preparedness for the onset, yet felt himself bound to awaken him "as the geese by their gagling which kept the Capitol," if haply he should slumber (*p.* 95).

There are several letters here, as in the Buccleuch papers, in relation to the differences between the three brothers, Sir Edward, Sir Sydney and Sir Charles; and here, as there, is one letter from Lord Bacon—now Lord Verulam—who seems to have interested himself kindly in the endeavour to get matters amicably settled (*p.* 104).

The next matter of public interest noticed is the return of Prince Charles from Spain, without the Infanta. Bonfires, bells, and the Tower ordnance announced the joyful news, the streets being so "stuffed with fires" that three hundred were counted between Whitehall and Temple Bar. One wonders that there is no mention of conflagrations in consequence, for the "stuffing" was continued through the narrow streets and lanes in the City, over a hundred fires being alight between St. Paul's and London Bridge.

The rejoicings of the capital were echoed throughout the country. "I thank you for your good news" wrote Montagu—now Lord Montagu of Boughton—to his friend, Robert Tanfield.

"There never was so great cause for joy as his safe return, all things considered" (*p.* 105).

Although urged forwards at times, as we have seen, by his earnest religious convictions and his sense of duty to his countrymen, the first Lord Montagu appears to have been a quiet, retiring man, and while his brothers were out in the world and rising to high offices in church and state, he lived for the most part a country life upon his estates, giving, however, much thought and care to the affairs of his own county. Amongst his papers is one very interesting document, drawn up some time during the reign of James I, upon the condition of the farmers and the poor in Northamptonshire, in which it is laid down that the principal cause of the impoverishment of the husbandman and the farmer is that the ground being in common fields, no man can be truly master of his own. The remedy proposed is a system of what would now be called allotments. In urging the superiority of oxen over horses, as "draw-beasts," the writer (the paper is not in Lord Montagu's hand) argues that if a horse die, there is but five shillings for his skin, "whereas, if the ox be not well, he will be meatable, and so little loss"! (*pp.* 107-9.)

In 1630, there is a gossippy letter from Lord Manchester's steward to his fellow at Boughton. There has been "a great dust" at the Council Board, he writes, about a quarrel between Sir Lucius Cary (the Lord Falkland of the Civil War) and Sir Francis Willoughby; the King having given to Willoughby a place in Ireland held by Cary, in recompense of his service and disbursements in what the lively narrator calls the "Voyage of Ill Array," whereupon "Sir What-Care-I" sent a challenge to the other, but the matter coming to the King's ear, he promptly consigned both Cary and his second to prison. . The same letter gives an account of a reported bloody bickering in Dublin between the protestants and papists, and of the great doings of the young Lord Craven on coming into his inheritance, and concludes with the curiously modern statement that the writer sends his friend three ounces "of the best smoke" (*p.* 111).

Soon after this, Lord Montagu was looking about for a wife for his eldest son. He certainly began early enough, for the boy was only sixteen and, as he writes to a cousin, his fears for him, rather than his judgment, made him think of marriage. One correspondent proposed a daughter of the 2nd Earl of Salisbury,

who was, he understood, "a virtuous and sweet lady, her lord father and the lady her mother marvellous loving and indulgent to their children" (*p.* 115), but of this we hear nothing further. Another friend suggested a daughter of Sir Henry Willoughby, but this also came to nothing, as though the father was willing, the lady herself was not (*pp.* 115, 116). A third attempt, however, was more successful. The young man wooed and won the daughter of Sir Ralph Winwood, and the marriage seems to have been a very happy one (*p.* 117, *and see letters in the Buccleuch Report*).

Of the group of Lord Montagu's brothers, the most interesting personality is that of Henry, who, beginning as Serjeant at Law and Recorder of London, filled many high offices in the state, and was created Viscount Mandeville, and (in 1625) Earl of Manchester. To him, his brother seems to have gone in all his difficulties. "You are doubtful," writes the Earl in 1637, "whether to write to your judge before your cause is heard. I have ever given it for an answer to such as write or speak to me when their cause is to be heard, that either they distrust their judge or despair in their cause, or else they would never make the suit" (*p.* 117). When the King, at the beginning of 1639, asked for contributions and help against the Scots, Lord Montagu wrote a letter, but the draft is endorsed, "this was disliked of by my brother Manchester, so I writ another" (*p.* 122). As matters grew to a head between King and Parliament, both Lord Montagu and the Earl, like so many others, were sorely divided between their loyalty to the King's person and their dislike of his measures. In April 1642, William Montagu writes to his father that his uncle "pets and fumes extraordinarily at home, but yet votes right in the House." He was much out of tune at this time, and his family believed it to be partly from annoyance at his eldest son's reported intention to marry the widowed Lady Bevill, an intention which Lord Mandeville stoutly denied, but which his friends still feared, for, continues William to his father, "I hear of none that thinks it a fit match unless it be your Lordship" (*p.* 150). Perhaps, although the widower was already thinking of consoling himself, his family was still loyal to the memory of his dead wife—dead only a few weeks before—who is called in one of the letters "that mirror of women, Lady Mandeville" (*p.* 145).

When the Long Parliament met, three members of the house

of Montagu took their seats in the Commons' House: Sir Sydney, Lord Montagu's youngest brother; Edward, his eldest son, and George, second son of the Earl of Manchester. Both Edward and George sent news to Boughton, but Lord Montagu's chief informants were his lawyer son William, writer of the above quoted letter (who afterwards rose to be Chief Baron of the Exchequer and was turned out by King James II., his only crime, as Sir John Reresby says, being that he would not give his opinion for the King's dispensing power), and one John Dillingham. Most of William Montagu's letters are amongst the Buccleuch papers, but Dillingham's very lively accounts of current events are in the Beaulieu collection. He seems to have doubled the parts of family friend and family tailor, and turns suddenly from quoting a remark that nothing will bring back King Charles, even "though a committee was made and Jack Dillingham had the chair," to mention that he is about to carry the young gentlemen their suits, and if Mr. Edward is desirous of another coat, he will make him one trimmed with silver lace for Sundays (*p.* 164). He was probably a son of Thomas Dillingham, a former rector of Barnwell, in which case he was brother to Dr. William Dillingham, Master, a few years later, of Emmanuel College, Cambridge. Besides these letters, there are several news-letters, some of them in his handwriting, written at the time when the storm was gathering.

Lord Strafford's trial, the business of the Bishops, affairs in Ireland, the efforts to remove the King's "evil counsellors," all in turn come under notice. A letter from Dillingham, written on December 21, 1641, shows the intense distrust felt of the Queen, and her determination that if no papists might be about the royal family, no puritans should be there either, insomuch, Dillingham says, "that a poor man, that did only provide carts, because a puritan, is put out. There must not be a saint in Cæsar's house. Look, what measure is meeted out to the papists, let the puritans look for from her Majesty" (*p.* 135). He goes on to give an account of the quarrel between Warwick and Archbishop Williams in the House of Lords, and retails the usual sort of report of atrocities in Ireland. The writer of the news-letters was by this time clearly prepared for the worst—"Provide weapons," he warns his friend, "get muskets, powder and shot.

Let not the Popish party surprise us with a riding-rod only in our hands" (*p.* 137). The accounts of the disturbances between the courtiers and the citizens (*pp.* 137-139) differ in some respects from those already known.

In describing the King's attempt to arrest the five members, Dillingham says that his Majesty, who for haste went in a hackney-coach, was accompanied by "some four hundred, about a hundred of his own servants and all the rest captains and other broken and desperate fortuned men, only young Mr. Sawyer excepted" (*p.* 141). Young Mr. Sawyer appears again a little later, as compelling a poor man that cried brushes to pray for the Pope, "and that God would confound himself and all citizens" (*p.* 147). There is a graphic description of his Majesty's last visit to the City, and the violent attack made by the citizens' wives upon the unfortunate Lord Mayor (for his complaisant conduct on that occasion) when they pulled his chain from his neck, called him traitor to the City and "were like to have torn both him and the Recorder in pieces." "The King had the worst day in London yesterday that ever he had," writes Dillingham, "the people crying privilege of parliament by thousands, and prayed God to turn the heart of the King, shutting up all their shops, and standing at their doors with swords and halberds." As for the Commons, they would assuredly not spare the Queen, and if their demands were not granted, would stand to their defence, "and mind no more the way formerly gone in" (*p.* 141).

When, on the January 25, Mr. Solicitor St. John brought in the Bill for Tonnage and Poundage, we are told that he "was terribly rottled for his pains" (*p.* 145).

In April, Dillingham reports that the printers being frighted, the journals now cease, which though trouble, is yet joy, as making his own news more valuable to his friends. In regard to the King's going for Ireland, some say that he means to "fetch hither the Irish power," but Dillingham's own conviction is that he merely wishes "to deliver the rebels from extirpation by some kind of accord" and so prevent the unpleasant disclosures which they might make if driven to desperation (*p.* 149).

At this time, Dillingham was still hopeful that matters in England might be amicably arranged. "I think," he writes, "the

future times will be as a family in which is a froward wife. We may brale and scold, but there will be few blows, only a continual dropping, so that little will grow; but were we shut of our scandalous ministers and rotten heads of colleges, we should grow unanimous and much better." A month later, he tells of the King's message of May 7, "which message was high, and higher than any before," and in which his Majesty angrily told the Parliament that they talked of a malignant party, but sure it was with them (*p.* 151). On p. 153 is an instance of the curious limitation, at that time, of the term "protestant" to the Church of England party. In Lancashire and Cheshire, Dillingham is assured, the puritans are able to encounter the papists, and "the protestants are rather for the puritan party than the popish."

So late as the end of June, one of the Manners family, writing to Lord Montagu, clings to the hope that there will not be war. "That the distractions not only continues but grows more formidable, is," he acknowledges, "but too apparent; yet is there hope in Israel, and truly I am in the same opinion I was from the beginning, in God I trust we shall lose no blood." But the very next papers relate to the issue of the Commissions of Array, and these are followed by the order of the constables of the county of Northampton to summon all those who have arms to attend the King's person at Nottingham on August 22, "where and when he intends to erect his standard royal, and in his just and necessary defence to advance forward for the suppression of a rebellion, and the protection of his subjects from the burden and insolency under which they cannot but groan till they be relieved by his Majesty" (*p.* 158).

Both here and in the Buccleuch collection, there is a most regrettable absence of letters of the time of the Civil War. The Earl of Manchester died in 1642. Lord Montagu, in spite of his puritan proclivities, was imprisoned by Parliament in the Savoy, and died there in 1644. If William Montagu continued with his brother the correspondence begun with his father, his letters have not been preserved, and no sign remains amongst these papers of the new Lord Montagu's doings in those stirring times, although we know that he was present during the proceedings against Laud, was a Commissioner with the Scots' army in England, and was one of those appointed to convey King Charles to Holmby House. The history of the Montagues is only taken up

again in 1648, when Lady Winwood wrote several letters to her son-in-law, now a widower, about his boys, who were at Westminster, under the famed Dr. Busby. The careful grandmother urges their father not to leave them at school during the holidays "for in truth they must have a little recreation sometimes," fears they injure their health by buying fruit and eating it, by riding too much in the heat, and by drinking too much when they are hot, gives a few little hits at her granddaughter Bettie, who appears to have been something of a hoyden, and praises Dr. Busby's care of Ralph during an attack of small pox (*pp.* 161, 164). She also writes of the royalist rising at Kingston in July. Her son-in-law had asked if they had not been affrighted by it. Truly, she replies, they were not much alarmed, as they heard not of the danger until it was past. But if the insurgents had not been taken at St. Neots (where as another writer tells Lord Montagu, they took up inns, were very quiet and sleepy, and like young soldiers, though chased from Kingston, set no guard), she thinks it is like they would have gone on to visit his Lordship (*pp.* 161, 162). From the Beaulieu as well as from the Buccleuch papers we gather that Edward Montagu got into trouble with his father. On p. 167 is a letter, undated, from him, praying for forgiveness, and in rather stilted terms declaring that it can never be esteemed piety in a father "to trample upon the ruins of a prostrate son." This elder son was killed in a fight with the Dutch, in 1665, but Ralph lived to succeed his father, and was afterwards created Duke of Montagu.

A number of good foreign news-letters are included in the collection, and notably a long epistle from a gentleman attending on Sir Henry Wotton in his embassy to the Emperor in 1620, giving a very interesting account of the state of affairs just at the time when the brief rule of the unhappy Frederic in Bohemia was drawing to its close. The writer saw plainly that the Emperor would consent to neither truce nor cessation of war, "as presuming that he hath the better of the cause and the hope of the conquest; for the cause, in regard the Hungarians and Bohemians have proved rebels unto him, and the Count Palatine did ill to take upon him this unjustifiable business; for the conquest, he hath the greater armies in the field, and the more powerful friends to assist him." He believed however that the Imperial forces would prove too weak to encounter the brave army of the newly

elected King of Hungary, and that Vienna would shortly be besieged by this prince, between whom and the King of Bohemia there was, he says, a very sympathy of love, finding expression in such terms as brother, gossip, associate, fellow in arms, with declarations that both were the champions of Christ, and would live and die together in defence of true religion. He gives a somewhat surprising account of the number of protestants in Vienna and thinks that the Prince's success is not like to be the less in consequence. Meanwhile, however, the Palatinate was being ravaged by Spinola, and town after town was yielding to him, for these towns, he explains, although possessing gates and ditches, lacked walls or fortifications sufficient to hold out against either siege or battery, and the Princes of the Union were in much danger of being deceived by "Spanish policies and their own too much confidence," and having vainly declared that they would not allow Spinola's entrance into the Palatinate, seemed now quite at a loss how to get him out of it again (*pp.* 97-104).

The letter appears to have been written at the end of September, the dates contained in it forbidding its being put earlier, although it describes the King of Bohemia as still keeping his court at Prague "so magnificently that men wonder at the same, and so beloved that, as the people answered David, they will not suffer him to go in person into the field." This latter statement we may be permitted to doubt, and the King had certainly at this time gone to the army, although the news had not yet reached Vienna.

The other news-letters, mostly written in 1638 and 1639, contain, amongst other matter, notices of the siege of Brisach by Duke Bernard of Weimar, the birth of the Dauphin, the capture and imprisonment of Prince Rupert (to whom the Emperor is said to have offered the Lower Palatinate and a lady of Tyrol, if he would embrace the popish religion), the detention of his elder brother, the Prince Elector, in France, and a description of the terrible state of the Mark of Brandenbourg towards the end of the Thirty years' War, where misery and famine had "turned Christians into cannibals" (*pp.* 118-126). There are two later ones (*pp.* 141, 159), in the last of which a correspondent at Amsterdam writes, in March, 1643, "Why doth the Parliament of England delay so long to clear the justice of their cause and proceedings in some manifest or other towards foreigners. The

King hath a great advantage against them in this particular, who hath laid very heavy crimes upon them at Francfort and other assemblies and Courts of princes, by large and plausible informations."

Amongst other miscellaneous papers in the earlier part of the volume may be mentioned a curious set of "rules concerning perilous days," in very archaic writing (*p.* 1); two letters to Lord Justice Montagu (*pp.* 2, 3); a letter written by Sir Henry Percy, during the Duke of Norfolk's expedition to Scotland in 1560 (*p.* 8); an angry epistle from the Countess of Sussex, founder of Sidney Sussex College, Cambridge (*p.* 18) and a series of letters to the Earl of Leicester written in the spring of 1588, mostly from the Isle of Walcheren, which form a useful supplement to the Holland State Papers of that date (*pp.* 13-20). (*Compare also letters in the Earl of Ancaster's MSS., Report XIII. of the Hist. MSS. Commission, App. VI.*)

The post-restoration papers in the Beaulieu collection are almost entirely military, and have probably formed part of the Albemarle collection, which, as mentioned in the preface to the Buccleuch Report, was brought into the Montagu family by Ralph Montagu's second wife, the widow of Christopher, Duke of Albemarle. They contain many royal notes and orders, signed by Charles II. and James II., and give a good deal of information concerning the newly formed army. On p. 180 is a letter from Exeter, setting forth the difficulty of enlisting soldiers and the further difficulty in keeping them afterwards. The writer ascribes this to the malice of the Whigs, "who are very industrious in opposing all things that have his Majesty's character" (*i.e.* orders signed by him) and have spread a report that the men are to be carried to Tangier. He therefore begs that their captain may be ordered to write from Holland, to dispel "the false suggestions of these devilish people." In May, 1683, William Chapman, one of the Duke of Albemarle's household, sends his Grace an account of a squabble between the King's and Queen's troops of Life Guards, and of the interference of Lord Faversham, who scolded them as if they had been about to cut one another's throats, and then drove away to Windsor in a very great passion to report the matter to the King (*p.* 183). On p. 189 is a notice of King Charles' fatal seizure, the summons to the Duke and Duchess of Albemarle to attend King James' coronation, and an

account of the new King's review of his Guards in Hyde Park, when he complained that Albemarle's (*i.e.* the King's) troop was the weakest of the three, but said they were "good boys and did very well."

There is an amusing little story told on p. 193 of a skirmish (not mentioned by Luttrell) between Lord Chancellor Jeffreys and the Chief Justice (probably Jones, of the Common Pleas) in relation to the setting free of some of Monmouth's officers. The Chief Justice suggested that they might only be corporals or sergeants, and at any rate, "he was sure they were so poor the Lord Chancellor would not have gotten his fees for their pardon." The Chancellor retorted by bidding his Lordship "be advised how he studied popularity."

Of the same date as this letter is one telling of the King's visit to the camp he was forming on Hounslow Heath. Sir John Reresby speaks of a like visit on April 16, but this letter is quite clearly dated April 10. In February, 1687, the Vice-Chancellor of Cambridge University writes concerning the King's orders for the admission of Father Alban Francis to the M.A. degree without taking the oaths. They are wonderfully afflicted, he says, not knowing how to avoid either his sacred Majesty's displeasure, or the censure and condemnation of the law and their own consciences (*p.* 198).

The last notice of James II. is in a news-letter written in June, 1689, after his landing in Ireland. He is described as extremely busy in marshalling his army, has declared "he would besiege Londonderry with twenty-five thousand men and Enniskillen with fifteen thousand, and hazard the loss of his men but he would take it," but says "he would be willing to have ten thousand men less in his army than the single person of Duke Schonberg to come against him, having that experience of his valour and conduct" (*p.* 200).

The Report on these papers and this Introduction have been prepared by Mrs. S. C. Lomas. Both text and index have been kept as far as possible in line with the Report on the Buccleuch MSS., and all proper names are given as spelt by the writers, the modern forms being supplied in the index.

THE MANUSCRIPTS

OF

LORD MONTAGU OF BEAULIEU.

Rules concerning perilous days.

[Probably 15th century.]—"The furste rule of the distinacionis aforsaid. These buthe perilous daies as Sent Bernard seythe that ho so ys bore in eny of them his flesshe schall nevere roty. Thes dayes buthe marked above in the monthes in the signs aforsaide (ij days in Marche and one in Januare 19 eve Januar; 14 day Marc and 18 day Marc).

The secund reule. There buthe perilous daies in the yeere which Senct Johan, evangeliste in the Ile of Pathimos [*sic*], in the whiche daies every man schuld shonys to make matrimonye or bygynne eny longe viage or foundement of eny other grete worke other of eny other grete doynge. The dayes hereof buthe marked in the monthes aforesaid at the signe made overe this processe.

The IIIde rule. There buthe xxviij daies in the yere that ho so in wiche zif eny mann bygynnethe eney jorney, hit ys happylich zif he evere cometh azen, and ho so ever bygynnethe to take eny sikenesse hit ys wondere zif he evere recovere. And ho evere be weddyd in eny of tho daies, hit spedethe not well. And ho so evere ys bore in eny of thulke dayes happlych he lyvethe not longe. The daies of these perilis buthe marked in the monthes aforwrite at the syne overe this processe.

The IIII. rule. The Mondayes in the yeere buthe in the whiche hit ys weel perilous to eny mann or womann or beste to blede for unnethe or nevere he schall schape, but that he schall be dede therby, but the more speciall grace of God lette hit, as by the marke of this processe in the monthes afore.

The V. rule. There buthe iij perilous Mondaies in the yeer as clerkes seien. That the child that ys bore in eny of hem, he schall be brende or droynt or deye sudeignely or somme other foule dethe. And if hit be a maide child, hit schall bycome a lyzt woman of hure body and therto badde but zif God lette hyr.

Also zif eny mann ete of eny goos fleshe in tho dayes his ys drede leste he take the fallyng evyl therof.

Hit is not profitable to bygynne eny grete worke or grete jornay in eny of thes iij dayes. And they buthe marked in the Kalender afore in Feverer, May and Septembre by the signe overe this processe.

The best dayes of every month in yeer to bygynne eny gode worke or take eny jornay ys the fyrste day, the iij, vj, vij, xiiij day.

Explicit.

Wytheinne haven. Wher so evere hit be one the prym eve, the spryng ys at the hyest. And be hit atte the morow tyde ar at the eve tyde that he be atte the hyest, thukke same daye sevenyzt at the same tyde, hit bygynnethe to springe.

The furste prime aftur Twelfe day accompte x dayes aftur and the prime day for one; the next Saturday afture, Alleluia ys closyd.* *Imperfect.* 3 *small pp.*

[At the beginning of each paragraph is a roughly drawn device, and on the fourth page is a fragmentary outline of a calendar, with Sunday letters and the same devices. The only two names noted are St. Juliana, Virgin, and St. John ante portam Latinam.]

John Mountague.†

1524, May 7.—Certificate by John Mountague of London, that he has received from Edward Mountague of Hemyngton, co. Northampton, the sum of 20*s.*, being the half-year's rent of his annuity of 40*s.* from the Manor of Hemyngton, in witness whereof he has written this bill with his own hand and sealed it with his seal, on the vij day of May in the sixteenth year of King Henry the viijth. ½ *p. Seal impressed.*

Elizabeth Dyxon to the Lord Chief Justice of England [Sir Edward Montagu].

[Before 1546] December 15. Yllston.—"I heartily have me commended to your Lordship, certyfying that I have been sore diseased this long time, and now am at extreme peril and jeopardy of death, trusting and committing myself fully and wholly to the pleasure and the great mercy of God. And forasmuch as your Lordship have in your tuition and governance my children and the lands which is my right inheritance, I entirely pray your Lordship to be good unto them. But specially my desire is that you should be good and favourable lord and master unto my loving and most kind husband, Mr. Richard Dyxon, who hath at all times tenderly loved me and my children, and

* Apparently a plan for finding Septuagesima, when the Alleluia would cease to be sung until Lent was ended.

†MS. note. John Montagu, 2nd son of Thomas Montagu, of Hemmington, by Agnes, daughter to William Dudley, of Clopton, in Northamptonshire, and brother to the Lord Chief Justice. He probably died a young man, as his name does not occur in the family papers after the above.

now specially in this my long sickness, and cherished me, and expended upon me in physic and other necessaries more than twenty marks. He is also in debt, and hath selled his chattels to pay debts for my other husband. For this his gentle and honest behaviour, if that I might lawfully—as I cannot, because of a former promise and bond, made at the request and desire of my kinsfolks and friends—I would put him in some state of lands. I cannot now perform my mind towards my loving husband; I will not go against your pleasure, but instantly I pray your good Lordship to let my bedfellow have this my house with the appurtenances and other pleasure in my inheritance for his money with favour before any other man, and have profits of my woods and pastures that he may be able to bestow somewhat for the wealthe of my soul, or else he shall hurt his living by the marriage of me. I have desired Mr. Weston, my ghostly father, unto whom I pray your Lordship to give trust and credence, to write this part of my mind unto you, and to send these letters by Thomas Warde of Norton, my tenant and his neighbour, unto your Lordship." 1 *p.* [*Sir Edward Montagu was Lord Chief Justice from* 1539 *to* 1546.]

THOMAS GOODRICH, BISHOP OF ELY AND LORD CHANCELLOR, to LORD MOUNTEGU, Chief Justice of the Common Pleas.

1552, June 1. Elye Place.—"Being done to understand by the pitiful complaint of Thomas Jaxson, Agnes Jaxson and John Whitehede that the same are notoriously deceived by the crafty dealing of one Richard Johnson of Northampton, innholder, by the aid and furtherance of one Martin Adams, his son-in-law, which Johnson hath, as I am informed, sold them by parole a lease of certain mills nigh Northampton, parcel of the possessions of the right excellent princess and my very good lady, the Lady Elizabeth's grace, sister to the King's Majesty, persuading them only of two mills, where indeed, as I am also informed, the lease hath relation to five mills, whereof three are decayed by the same Johnson, as it is certified by verdict of twelve men, before he bargained with Jaxson for the same, by occasion whereof Mr. Styrley, being the first lessee of the premises from the King, who had before bargained to Johnson parcel of his term, commenced suit against Johnson for breach of his covenants, long before any communication with Jaxson about the said mills, whereunto Johnson being directly privy hath entered with these poor folks, and circumvented them to seal him an obligation of 100*l.*, with condition to save him harmless against Mr. Styrley for his bond, the same being already forfeit and in suit, and bargained with them for the said mills, in which deed also again wittingly he did incur the danger of his bond, and, as I am informed also, the lease from Mr. Styrley to Johnson hath special articles that Johnson may not alien or assign the said mills over without the special license of Mr. Styrley, and also Mr. Styrley by special words is at liberty to resume the said mills always upon a year's

warning into his own hands, so that one way it seemeth the King's Majesty and her Grace to stand at liberty to evict the said mills from them, all the decay being so notable, and another way Johnson cannot perform the bargain and lease of them to Jaxson, but at Mr. Styrley's will and pleasure and by his license and special agreement, which is not yet attained, as I am credibly informed, nor shall not be. My Lord, like as there is indeed a great folly in Jaxson and his sureties to have given such credit to a stranger in his bargain, yet seemeth the same very excusable by the mere simplicity to be thought in the parties. Therefore, knowing your wisdom and zeal of good justice, I shall with all my heart beseech you to call the parties before you, and in case the lease have such words that Johnson cannot perform the mills unto Jaxson, then, my Lord, I shall heartily pray you to travail for an end betwixt them, mitigating the extremity of laws by consideration in conscience if Johnson will not conform himself thereunto. I pray you to advertise me by your letters of his doings, and for your further instruction herein I send you the [copy?] of the bill of complaint, to the end every circumstance may appear [to you]r good Lordship, beseeching your Lordship to stay Johnson, that the poor folks be not condemmed, while the matter thus resteth in communication, and where, at the mediation and request of her Grace's counsel for an end, Johnson hath refused to come to any end otherwise than by the very rigour and extremity of the band, albeit they undertook to move her Grace to show mercy in the matter. If your Lordship cannot take order with them for determination hereof, in Johnson's default, upon your Lordship's advertisement, I shall set order myself in such sort as to equity and conscience shall be thought meet, with such condign punishment as appertaineth upon just consideration of the double dealing, being a thing so noisome in a commonwealth."—Elye Place, anno regni regis E. VI., vj^to^. *Signed.* 1½ *pp. Damaged.*

Petition of Sir Edward Mountagu, Knight.

[1553.]—1, Sir Edward Mountagu, and Master Bromley, Master Baker and Mr. Gosnold, being commanded by the King to draw a book for the succession of the Crown, according to certain articles which his Highness delivered unto us, according to whose commandment we assembled together and considered the laws and statutes so dangerous that at our next repair before the Council we refused to make the said books, for the danger of treason, as well towards them as towards us; whereupon the Duke of Northumberland fell into a great anger and rage, and called me traitor before all the Council, and said that in the quarrel of that matter he would fight in his shirt with any man living, and so we were commanded to depart without doing anything at that time. Being sent for another day, and brought before the King, the King angrily asked us why we refused to make the book according to his articles, and I showed him

that if we should make a book thereof, the execution of the same would put the Lords and us in danger of treason, and yet when it were done and made, it would be nothing worth to take away the Act of Succession; for which cause we durst not make it. The King, with sharp words and angry countenance, commanded and charged me upon my allegiance to make it, and divers of the Lords standing by said, if we refused that to do, it were treason; whereupon I, being in great fear as ever I was in my life before, seeing the King so earnest and the Duke of Northumberland so angry the day before, and considering with myself the making of the book without the execution of it was no treason, and the thing done in the King's life could be none offence nor contempt to the Queen's Highness that now is, not being then Queen, without the execution of the same after the said King's death, which I determined with myself not to do nor execute for my part, whatsoever should come of it, which determination I have truly kept hitherto; I said to the King that I had served his most noble father and him these nineteen years, and lothe I would be to disobey his commandment, and if his Highness would give unto me and the other his commission, license and commandment under his Great Seal, and also a pardon under his Great Seal when we had done, I for my part would make the writings according to the articles signed with his Highness' hand, and all the other agreed to the same; which said commission, license, commandment and pardon the King said it were but reason that we should have them, and the same commission, license and commandment passed the Great Seal and is to be showed, and the pardon passed the Signe, and the said Duke would not suffer it to be sealed, because he would have no man in better case than himself, and so the said writings were made, whereunto I was privy against my will, and by as great fear as ever I was in, in all my life before, alway declaring, as well to the King as to all the Lords divers times, that the writings being made were nothing worth for the avoiding of the Act of Succession, which would not be taken away but by Parliament. For this doing, I am discharged of my office of the Chief Justiceship of the Common Pleas, being worth six hundred marks by the year, and had six weeks' imprisonment in the Tower of London.

Item: By commandment of the Commissioners I must surrender my letters patents of lands to the yearly value of 52*l.* 4*s.* by the year, which King Edward gave me for my six years' service and more.

Item: By the said Commissioners' order, I must pay one thousands pounds, whereof five hundred pounds is already paid, and the other five hundred pounds are to be paid at the feast of All Saints come twelve months.

Also I have seventeen children—that is to say, six sons and eleven daughters.

Now all the said forfeiture of office, surrender of my patent, payment of a thousand pounds, and six weeks' imprisonment, is for a contempt done to the Queen's Highness that now is, then not being Queen, in her brother the King's life, that is to say, eight days before the said King died, sithe which time neither in word nor deed that ever I meddled against the Queen, but my son, by my commandment, served the Queen's Highness with twenty of my servants, as the gentlemen of Buckinghamshire and other can report." 2 *pp.*

Endorsed: "The humble petition of Sir Edward Mountagu, knight."*

ROGER MOUNTAGU to his brother, EDWARD MOUNTAGU, in Hemyngtoun.

[1557 ?] Bouton.—"I have talked with my mother as concerning my brethren, but to me she made as though she would have nothing to do with them." Now she hath sent her man to you who, I think, knows more than I do about the matter. I desire to be commended to my sister, your bedfellow. [*No date, but written between Edward Montagu's marriage in* 1557 *and his knighthood in* 1568, *probably soon after his father's death.*] ½ *p.*

E[LLEN ?] †LADY MOUNTAGUE to her son, EDWARD MOUNTAGUE, Esq., at Hemyngton.

[1557 ?] Bowghton, Monday.—"These shall be to signify unto you that I have your rent of Warkton ready, and would wish ye should send for the same any day this week. I know not the true value of your rent, but, as far as I can learn, it is overcharged in mine indenture at the least thirteen or fourteen shillings. Your promise was to discharge the sum of so much money as could not be collected nor proved due, which I am sure you well remember. I pray you let Pawmer have a rental of the true charge, for that newly Freman hath surveyed the same, and understandeth the truth therein. I have 18*l.* for you, and for so much make your acquittance. If I understood the true value, I would discharge the whole. Thus wishing you God's blessing and continuance of health, I end. Your loving mother." ½ *p.*

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* Compare with another paper, printed by Fuller in his Church History, vol. 8., f. 1.

† Probably written by the third wife of the Lord Chief Justice and mother of his sons. The writing and signature are quite different from those of Elizabeth, Lady Montagu, wife of the 2nd Sir Edward.

English Army going to Scotland

[1560, beginning of, ?]—"A note of all the captains with the number of their bands which is going into Scotland to this journey.

Barwycke.

Capt. Somerset	300
Capt. Vawghan	300
Capt. Reede	200
Capt. Sutton	300
Capt. Markham	100
Capt. Yaxley	100

The names of the captains of the country that goeth into Scotland to this journey.

Mr. Denne	300
Hugganes, [Thomas,] Provost Marshal	300
Capt. Capell	300
Capt. Drury	300
Capt. Conwaye	200
Sir Jarvys Clifton	300
John Fewillyams	200
Sir Edmund Malyvery	300
Wm. Mallery	200
Wm. Farfax	200
Bryan Fewylliams	100
Mr. Balthrope	200
Sir Thos. Jarret	300
Sir John Surwarte	300
Sir Thos. Heskaeth	200
Francis Tunstalle	200
Capt. Butler	200
Sir Edward Fytton	200
Sir Lawrence Smythe	200
Sir Rowland Stanley	200
Peter Lee	200
Richard Lee	200
Sir Andrew Corbutt	200
Sir Antony Manering	200
Richard Newporte	200
Capt. Skievyn	200?
Walter Askome	300
John Jefurthe	200
Henry Vernunne	200

Armed horsemen.

Sir George Haward	100
Mr. Barnaby	100
Mr. Arthur Gray	200
Mr. Braye	100
Capt. Gads	100
Lord Graye	100

Light horsemen.

Sir Henry Persie	100
Lord Graye	100
Mr. Killingale	100
Francis Roustropp	100
John Cunstable	100
Mr. Knevet	100
Mr. Noryche	100
John Selbye	100
Sir John Foster	200
Sir Ralph Graye	100
Christopher Dacre	100
Thomas Carlyell	100
Rowland Foster	100

There be some captains unnamed here, which be to come." (*Copy by Edward Watson of Rockingham Castle.*) 1 *p.*

Overleaf: "Mr. Sheriff, Ye shall understand that the commission for the lieutenancy is comed down, where the old lieutenants remain, and you now are one in the commission, but ye shall have such a piece of work in hand as in my time the like never was in this shire touching musters, and it is very requisite so to be. Mr. John Fitzwilliams is muster master of these musters. The rest ye are like to know or I see you. Your loving brother, Edward Watson."

Sir Henry Persie to ————.

[1560:—March 27.]—"The Council attending upon my Lord of Norfolk be these:—The Lord Gray, Sir Ralph Sadler, Sir George Haward, Sir James Crofts and Sir Francis Leike, and all the Lords from Trent north be in the Duke's commission, but none resident here, saving those that be named. Ye shall understand that this night we enter into camp a mile from Barwyke, at a place called Hallydon Hill, and have for our lieutenant in this journey the Lord Graye, and lord marshal of the camp, the Lord Scroppe, the colonel of the footmen, Sir James Crofts, the Master of the ordnance, Thomas Gower, the general of the great horsemen, Sir George Haward, the provost marshall, Mr. Thomas Huggons, the captain of the pioneers, one named Pellam, the master of the scouts, Francis Killingale, the muster master, Sir Nicholas Straunge, the treasurer, Sir William Inglebye, who removeth not out of Barwycke, the commissary of the carriages, Mr. Danyell, the serjeant-major, who I should have named one of the first, Mr. Edward Randall, and general of the light horsemen, myself most unworthy. Also ye shall perceive the proportion of our army, of footmen, six thousand complete, marvellous well furnished, and two thousand more in coming; of great horse, seven hundred, whereof two hundred be pistolatts, after the manner of the Swartrutters, not that I compare them alike, for they be very ignorant in their feat. Of light horsemen there be thirteen hundred, whereof two hundred and fifty be 'caryars,' and I can praise them no more than the pistolatts. Of artillery twenty-four battering pieces, whereof a demi-culverin is the least, with facons, sacres, and other light pieces to impale our 'battayles' as they march. Also we have forty last of powder, with shot accordingly to the proportion of powder, and fireworks sufficient as appertaineth to the winning of an hold. Of pioneers we have but four hundred, wherein I find a great lack, fearing lest we shall lose many of them before battery be planted. We have a great mass of victual gone by sea and remaineth with the Admiral, Mr. Wynter, at a place called Inchkyeth, two miles from Lyeth (Leith), and, moreover, the Scots, being the Congregation, hath levied us a great mass of victual also, which is received by an Englishman, and is in his custody, and hath stowage for the same at a place called the Burned Island, four miles from Lyeth, eighteen thousand of quarters of grain, great store of fish, with butter and eggs. Our carriages be five hundred, besides lymmer horses for the drawing of our artillery. To-morrow, at night, we intend to camp at Douglas, the next night at Hadington, the third night at Muskleboroughe, and within two mile of that place we unship our ordnance and mounts the same, and there meeteth us the Duke of Shatyllarye (Chastelherault), with the residue of the Congregation, who hath promised us by writing to be five thousand men, whereof three thousand horse at the least, and to remain with us twenty days, and longer if it be possible, but their promise is fulfilled at the end of twenty days. The Dowager of Scotland leaveth

the town and goeth to the Castle with twelve persons, who shall be received by the Lord of Askyne (Erskine) who hath the custody of the said Castle, and a neuter to both the factions. The residue of the Frenchmen intendeth to keep Lythe, and (as it is said) they will burn Edenboroughe [if] we be within two days' journey of it, to the end we shall have no relief of the town, but I believe it not, for our journey were well bestowed if they would burn their chiefest town. Also we shall receive to-morrow, in the morning, six pledges, whereof the Earl Ryvers'* third son is one, the Earl of Glencarne's second son, the Earl of Argyle's brother's son, the Master [of] Maxewell, the Lord Loughborough's son and a kinsman of the Earl of Huntley's, which pledges being received and sent into England, we shall have for our conductors the Earl Ryvers, the Lord of Grange and the Lord of Ledington [Lethington] and the Lord of Armeston [Ormistoun] who shall not leave us till our artillery be unshipped and mounted, and without further delay we do approach the town. 2 *pp.* [*Copy sent by Edw. Watson to his brother* [*in-law*], *Mr. Mountagu.*]

WILLIAM, MARQUIS OF NORTHAMPTON to LORD ZOUCHE, SIR JOHN SPENCER, and SIR ROBERT LANE, Knights, and MR. EDWARD MOWNTAGEWE, Esquire.

1560, July 21. The Court.—"I have received your letters, written the first day of the assizes there, in answer of mine of the 7th of this month, touching the certificate made of the numbers of that shire, and albeit you seem by the same to ground the excuse of your former doings upon old precedents and former certificates of musters, yet, to be plain with you, as you say you think best so to be with me, I cannot well tell whether I may rather note an over near preciseness or an over great forgetfulness of duty in the manner of this service. It hath pleased the Queen's Majesty, for great and extraordinary respects, to understand the whole estate and force of her realm, and for that purpose hath given an universal order for the mustering of all the able men within each county between the ages of sixty and sixteen throughout her realm, and amongst other, her Highness hath put me in trust with the lieutenancy of that shire, and committed the doing of this as well as other services there unto me. And I taking you, that I have appointed my deputies, to be such towards her Highness and your country as I have always esteemed you, was bold to desire your help and to repose my trust in you, hoping you would have made another manner account of this service than I perceive you have done. The Queen's Majesty looketh at my hands to understand, without collusion or respects of old precedents, the very truth and whole numbers indeed of all the able men that be at this present within that shire between the ages aforesaid, without hiding one man from her knowledge, and I must be fain in so special

* The copy is inaccurate. "Earl Ryvers" is apparently a mistake for Lord Ruthven, whose son was one of the hostages (*see* Cal. S. P. Scotland, 1509—1603 p. 133). "Lord Loughborough" is perhaps the Laird of Lochinvar.

a service to answer her with old precedents and former ordinary musters. How near this matter toucheth me in estimation and credit both you may well guess, and I am ashamed to know. I had well hoped I should by your diligence in this matter have had good ground to commend your service therein unto her Highness, and have thereby procured you such thanks for the same at her Majesty's hands as other gentlemen in other shires have received from her Highness for their good service done in this matter. And, contrary ways, I now, to my grief, fain to keep your doings therein from her Majesty's knowledge, lest she should, and not without cause, think both you and me worthy great blame for the slender regard that is had to her commandment. If the musters now appointed had been but an ordinary matter, and a thing of course, as hath been used at other times, you might have had some cause of excuse in following former precedents, but in a matter so earnestly meant from the Queen, and so specially recommended unto you, and wherein all other men show to the uttermost of their goodwills, I cannot but be sorry to see that you there should draw so far back, and lean more to private respects and old precedents than to service of her Majesty and the realm. You say the certificate you have now made exceedeth others that have been of late years there by four hundred men, and I know and dare assure you there be other shires no bigger than that that do in their present certificates exceed their former ordinary musters by as many thousands as you do hundreds, and stand, nevertheless, in doubt how their diligence therein will be allowed, such is the regard they have to this special service. And therefore, lest the burden hereof, being over weighty for me to bear, should be laid to my charge, I must be fain, and will not fail, if the Queen's Majesty shall give me leave, either to repair thither to see reformation hereof myself, or else appoint some such to do the same as shall be content rather to bear private displeasure than leave her Majesty's service undone. And albeit I did not write anything to you in this matter that I greatly force (*sic*) who do see, yet seeing I wrote to you privately, as unto those in whom I reposed my special trust, meseemeth it was more than needed to impart the contents thereof openly to any other, as you say you have done. Finally, touching that part of your letter where you desire the musters of the shire may be deferred for this time, in respect of the necessity of the time and the harvest growing daily on, although it shall be no little grief unto me to be the last within the whole realm that shall bring in the account of my doings and the certificates of the musters within my charge, yet for the relief of the county and some ease to the poor men there, I shall be content, seeing the present necessity so requireth, to bear the burden thereof for awhile, and put off the new musters until the time and season of the year may be more apt for the purpose. I cannot but also remember unto you that the muster master there hath not done his part in such sort and order as was looked for at his hands, for neither do I understand any such

diligence used by him in this service as had been necessary, nor yet seen any book made by him of the certificate and order of the musters already passed, as all other muster masters in other places have very diligently and carefully done, only do I hear the certificates of his doings by the report of your letters, which I cannot but find very strange. *Signed. Seal.* $1\frac{3}{4}$ *pp.*

MARQUIS OF WINCHESTER to SIR WALTER MILDMAIE, KNIGHT, and EDWARD MOUNTAGUE, ESQ., Knights of the county of Northampton, for the Parliament.

1560, September 26.—Desiring them to hasten the returns of their collectors for the second payment of the fifteenths, with their obligations for surety of payment, viz.—co. Northampton, Sir William Fitzwilliams and Robert Wingfeld, Esq.; town of Northampton, William Carvell and Edward Kynwelmarshe, gentlemen; town of Brakeley, Sir Thos. Knevet and Robert Saunders, Esq.; Higham Ferrys, John Purevey, Esq. *Signed.* $\frac{1}{2}$ *p. Seal, with crest.*

THOMAS, EARL OF SUSSEX, to MR. MONTEGUE.

1570, August 13. Warkworth.—"I have sent you herewith a patent to be my deputy in Northamptonshire, which I bestow upon you with as good a will as I would upon any man in England. I have at this present so great cares in hand both for Scotland and England, as I can have no time to consider myself of your patent, and therefore if it lack form, or be amiss in any thing, it shall be amended hereafter. And so, with my hearty commendation to my niece, your wife, I rest to you both as to myself." $\frac{1}{2}$ *p.*

THE COUNCIL to the SHERIFFS AND JUSTICES of the Peace for co. Northampton.

1571, July 25. Hampton Court.—Calling upon them, by the Queen's command, again to put into execution the laws against vagabonds and sturdy beggars—much disorder having resulted from the forbearance to do so—and to cause them to be punished "by stocking and sharp and severe whipping, according to the laws effectually, and that without redemption or favour . . . for there is no greater disorder, nor no greater 'rote' of thefts, murders, picking, stealing, debate and sedition than is in those vagabonds." *Signed by the Earls of Sussex and Leicester, Lord Admirals Clynton and W. Howard, Lord Burghley, Sir Fras. Knollys and Sec. Sir Thos. Smith.** *Seal.* 1 *p.*

* The certificate of Sir John Farmer and Sir Richard Knightley, S.P. Dom. Eliz. Vol. 80, No. 60, is apparently in answer to this.

SIR EDWARD MOUNTAGU to LORD ————.

1572, November 26. Boughton.—Thanking him for his kind intention to bestow Oliver Latham's office in the little park upon his brother Symonds, but praying him rather to give this place to William More, and More's place in the Great Park to his brother, not as thinking it more profitable, but believing that he will do better service there. Also regretting that he could not see him when last in London, as Mr. Kelleweay would have him go to Exton, to take knowledge of a fine of Sir James [Harrington] and his lady. *Draft.* 1 *p.*

[LADY?] E. ST. JOHN to SIR EDWARD MOUNTEGEW at Hemyngton.

1573, October 29. Wakerley.—Praying him to make a journey the next Tuesday or Wednesday to Wakerley, to act on her behalf in viewing a piece of land in suit between herself and her neighbour, Kyrkard, who has chosen Sir Edmund Brycknell to act on his part, and begging him, if possible, to come overnight, as her Lord would gladly speak with him himself. With postscript to put him in remembrance of Mr. Hawlton, the Queen's woodward of Stanford, whom, if allowed, she will appoint to "tend" upon him. ¾ *p.*

FRANCIS, EARL OF BEDFORD, to [SIR EDWARD MONTAGU?].

1584, June 2. Bedford House.—I have received yours of the 28th, and perceive that Mr. Tresham has gone about to infringe the ancient perambulation and bounds of the forest,* and therefore a Bill should be exhibited against him, and he called by process to answer. If any difficulty arises, a commission shall be sent forth. "If his grounds extend within the limits of the forest, and by colour thereof he will encroach upon her Majesty's, that is to be reformed in the Exchequer, and yet upon his own ground within the forest it is not lawful for him to fell any trees without license first obtained. But if his own grounds lie without the limit of the forest, and he, to the end to enlarge them, will go about to alter the ancient perambulation of her Highness' forest, that is a misdemeanour which, being proved against him, I will take order to have reformed." I like well your care in these causes. *Signed. Seal of arms.* ½ *p.*

SIR RICHARD KNYGHTLEY to [SIR EDWARD MONTAGU].

1586, December 9. Norton.—I pray you to make a certificate of the number of trees needed for a beacon, and send it to me, directed to Mr. Vice-Chamberlain. You can best do it, as all the beacons but one are on your side, but I think you must set down more than three to a beacon, unless your trees be a great deal bigger than ours. I will meet you upon your

* Of Rockingham

appointment at Northampton, the sooner the better, as "I would fain go up to my wife. I was commanded to be here in the country to go with you if need were, but whither I know not, nor when. I would be glad to do my lady or you any pleasure I can. As for the age, my cousin tells me he doth not mean to marry his son this two or three years. As I think, by that time your daughter will be of reasonable age; for ability I doubt not but you would strain yourself, and for my cousin, sure I am he would be reasonable entreated." 1 *p.*

[Captains of Camphere] to [the Earl of Leicester?]

1588, March [3-]13. Camphere.—Comme il a pleu a sa Majesté nous envoyer lettres de laquelle avons receu tant de contentement qu'il n'y a chose plus au monde qui nous aggree que d'entendre le bon zele et affection que sa dyte Majesté porte au pays de pardeça et nous. Sur que par ceste n'avons voulu obmectre d'adverter vostre Excellence que, depuis nostre derniere lettre escript a vostre Excellence, la ville d'Armuyde s'est rengee de nostre costé. Ce que prevoyant la ville de Middlebourg semble que l'yssue sera semblablement bonne, et sy seulement la presence de vostre Excellence estoit pardeca, ne doubtons que le tout seroit achevé a bonne fin, voyant qu'il deplait a tant de gents de bien affectionnez a Sa Majesté nostre reine et au bien du pays de veoir les affaires de pardeca en sy lamentable estat comme il se veoit par le siege posé devant la ville de Medenlyck en Noort Hollande, en lieu de s'employer contre l'enemy commun, comme ne doubtons que le Sieur Gouverneur de Vlissingues en peut avoir amplement adverty vostre Excellence. Trouvons aussy (soubs correction) estre necessaire si il plaise a Sa Majesté et a vostre Excellence de nous pourver d'ung chef collonel a nous commander, et specialement le Sieur de Russell, Gouverneur de Vlissingues, sieur diligent au service de Sa Majesté et de vostre Excellence, et fort agreable a nous et a tous bons fideles patriots de pardeca.

Signed by Carsillis Pallant, Ambroise le Ducq, Van den Ende, *and* Pieter de Coster. ¾ *p.*

[With note that they have written a letter to the same effect to her Majesty.*]

Sir William Russell to the Earl of Leicester, Lord Steward of her Majesty's Household.

1587[-8] March 7. Vlisshing (Flushing).—"I have received your Lordship's letter and have also received four gold chains and six hundred pounds for them of Camphere. I do mind to

* The letter to the Queen is amongst the State Papers, Holland, dated the same day, and endorsed, "From the Captains of Camphere to her Majesty."

go thither with them forthwith. My Lord Admiral determined to go thither, but I know not whether his Lordship will go or not as yet. The towns of Camphere and Armue and all the whole island* rest very well affected towards her Majesty, and the people of all other parts make show of such like desire to be at her Highness' direction, and Gwercom and other places in Holland have revolted unto her Highness. Wherefore in mine opinion, if it would please your Lordship to determine to come over shortly, there is such opportunity now offered that your Lordship might do much good to assure these countries unto her Majesty, and be revenged of all them that have any way either crossed or dealt ungratefully with your Lordship. Lastly these are to beseech your Lordship to have good regard to cause pay to be sent over shortly for this poor garrison, for that they want all necessaries, and many of these townsmen and of Midelborgh are almost undone by forbearing the debts of these companies so long; besides, the soldiers grow to be discontented, which is very dangerous, for that the enemy and the Estates are bent to put in use any secret practice that might hurt this action." And so I take my leave. 1 *p.* *Seal of arms.*

PEREGRIN, BARON OF WILLUGHBY, Lieutenant and Governor-General, to COLONEL SENOY at Medenblicq.

1588, March 7. La Haye.—"Sa Majésté, estant advertie des difficultéz et differences entre vous et les Estatz d' Hollande, qui vous ont par gens de guerre empesché le passaige et sortie hors la ville de votre garnison, et d'aultant qu'icelle n'entend que soit procedé par telle voye, contre ses affectionéz et fidelz serviteurs, il a pleu a sadyte Majesté me commander que par tous moyens possibles je m'auroy a employer envers les Estatz, tant generaulx que aultres, affin qu'ilz facent retirer les forces, et de cesser leurs procedures, jusques a tant que sa Majesté, estant deuement informée du faict, icelle pourroit resouldre comme en equité et raison—pour assopir les dytes differences—se trouveroit convenir; suivant laquelle charge, je n'ay voulu faillir—comme aussi ne fauldray de continuer—jusques a obtenir leur entiere resolution et responce, dont l'espoir m'est d' aultant plus asseuré pour la confidence que j'ay qu'ilz auront deu respect aulx lettres et declaration leur presentéz et faicte de la part de sa Majesté, laquelle a aussi escript justament aulx Seigneurs Contes Maurice et Hohenlo, de sorte que j'espere en brieff que sentirez l'effect du faveur de sadyte Majesté et de mon debvoir, icelle tenant tousjours en recommandation singuliere tous ceulx qui se monstrent en son endroict affectionéz et loyaulx. Cependant je vous prie, mectez vostre debvoir a tenir vos gens en bon ordre, lesquelles je supplie de se comporter en tout modestement, et que soit maintenu telle correspondence entre iceulx et la

* Walcheren.

bourgeoisie que voz parties n'ayent juste cause de se plaindre, et sera en ce faict service a sa Majesté agreable, ou sera l'endroict pour ceste fois que prieray le Tout Puissant vous tenir trestous. *Copy.* ¾ *p.**

LORD WILLOUGHBY to MONSIEUR DE FAMARS, Commandant.

1588, March 7. The Hague.—Stating that her Majesty has written to the States General desiring the withdrawal of the forces before Medenblicq, to which demand he hourly expects a favourable answer, but that meanwhile he is sending letters to Col. Sonnoy by the bearer, his trumpet, for whom he requests free passage to and from the said town. Knowing well Monsieur de Famars' affection to her Majesty's service, he feels sure of his good will in the matter, which shall without fail be reported to her Majesty. *French. Two copies, one on the same sheet as the preceding, and endorsed "du Baron Willoughby."* * ¾ *p.*

SIR WILLIAM RUSSELL to the EARL OF LEICESTER, Lord Steward of her Majesty's Household.

1587[-8] March 11. Vlisshing.—According to your Lordship's and the Council's directions, I have delivered the chains to the captains of Trevere† and have also disbursed most part of the money amongst them, keeping the rest in hand until needed. They earnestly desire that they and the company in Armewe may be entered in the Queen's pay, fearing that the States will bar them of their money. As the Estates continue in their indirect course against Medenblicke and [Col.] Sonoye, your lordship is prayed to send means from England to relieve the place, for although those parts are now well affected to her Majesty, yet if the Estates were to prevail against that town, now in some extremity, "this whole island would be greatly endangered, and the good opinions of all other parts wholly withdrawn from us." They pray that you will send out a commission for the raising of two more companies in Trevere and in Armewe, and that the serjeant-major of Trevere, Monsieur Coster, may have the raising of one of them, he being a very honest, sufficient man. They the more desire these levies as they have secret intelligence that "the States and others will use some violence against them for this their good meaning towards her Majesty." I beseech you to send over some pay

* These two letters, and also that of the 13th, below, are distinctly stated to be dated *stilo veteri*, or *stylo antiquo*, but this can only relate to the day of the month, as they were evidently written in 1587-8, not in 1588-9. There are no copies of any of these letters from Holland amongst the Foreign Correspondence at the Public Record Office, but in the postscript of a letter to Leicester, of March 7th (the postscript being probably added on the 8th), Willoughby states that he sends copies of his letters to Medemblicq, dispatched by a trumpeter the night before. From the endorsement, those of March 7, here printed, would appear to be the copies alluded to. [*See Holland Correspondence, March* 1588.]

† *Alias* Camphere.

for the poor soldiers of this garrison "for that the burghers of this town and of Midelborgh cry out and exclaim of us all by reason of the great debts of the companies, and do shew themselves to be greatly discontented for the forbearing of their money this long. And how dangerous it is that soldiers should be this long without pay, especially now the Estates and the enemy are equally bent against us, I refer it unto your Lordship's good judgment," commending your affairs unto the direction of the Almighty. $1\frac{3}{4}$ *pp.* *Seal of arms.*

G[ERARD] DE PROUNINCQ DE DEVENTER to [the EARL OF LEICESTER].

1588, March 13. Utrecht.—J'attens le retour de vostre Seigneurie en grandissime devotion pour beaucoup des respects, qui ne sont de petite importance. Ceux de Medenblicq demeurent assiegez, ayans les Hollandois, a ce qu'on m'a dit, fait oster du passage de la mer tous les signaux ou bakes, affin de faire perdre aux batteaux Anglois la route du secours. L'on a oui hier et avant hier force canonnades du coste de Medenblicq, ou ceux d'Enchuysen et Horne auroyent envoyé de leur artillerie. Je suis adverti de bonne part que ces souverains ont faict une sainte ligue de n'abandonner l'un l'aultre jusques a la mort, et si fait on de petites approches alentour d'icy.

Sur les quatre points proposéz a scavoir, de ne molester point ceux d'Utrecht, lever le siege de Medenblicq, ne statuer rien contre le Colonnel Vroenevelt, reintegrer les bannis de Leyden, ilz ont, sans en avoir preadvisé leurs principaulx, rescrit a Sa Majesté qu'il y a en ceste cité quatre mutins estrangers qui n'y ont rien a perdre, et se sont ingeréz aux premiers estats contre les droicts et previleges, apres en avoir chasséz les meilleurs patriotz. Tout ce que Monseigneur le Comte de Leycester auroit approuvé.

Entre iceux, ils me nomment le *beau premier*. Pour ceux de Medenblicq, que Sonoy est rebellé au gouverneur d'Hollande, qu'il a menassé les Estats et osté les armes aux meilleurs bourgeois. A Froenevelt, comme a un homme de bien, ils monstrent toute faveur, mais que le fait de Leyden, comme sentant trop sa trahison contre le Comte d'Hollande, ne devoit passer sans punition exemplaire. Vostre Seigneurie en doit juger a quoy ilz tendent, et quelle esperance qu'il y a qu'ilz s'accommodent au desir de sa Majesté. Car, leur estant admis d'avoir satisfaict par ceste response cependant qu'on y replicque, ilz poursuivront leurs erres.

Vostre lettre a ceux de Nerden y a fait du bien, mais il faut qu'ilz soient entretenuz par prestz ordinaires. Pour mon cousin Bacx, sa compaignie se desbande asseurement, puis que le Conte de Hohenlo fait tenir a ses deux freres chascun deux mois de gage, et pour perdre le troisieme

a sa compaignie rien; tellement que pour satisfaire au bon plaisir de sa Majesté et conserver une compaignie de service il est plus que temps qu'il plaise a vostre Seigneurie donner ordonnance ou du moins escrire serieusement a Mons. Reedt qu'il donne ordonnance d'un mois de paye a mon dit cousin sur le Brabant. Endroit ou apres mes tres serviables recommandations, je prie Dieu, Monseigneur, d'impartir a vostre Seigneurie en parfaicte santé l'effect de ses illustres desirs."

Postscript. "Je supplie vostre Seigneurie de haster son retour pour l'amour de noz frontieres." 1 *p.*

Endorsed: "Copy of Mons. Deventer's letters the 13 March, 1587."

John, Bishop of Salisbury to the Earl of Leicester, at his house at Wantstede.

1587[-8], March 21. The Court. — "Shortly after the departure of Sir Francis Drake westward, my old servant, Thomas Jobson, came to my house to take his leave of me, purposing to go for Plymouth and so to proceed in the voyage with Sir Francis. At what time, in respect of the going of her Majesty's Commissioners into the Low Countries, I advised him to stay awhile, whereupon he went down to his brother Edward his house. In the mean while, a man of great wealth, dwelling not far from them, one Edmund, leaving this world, and his wife, by the opinion of most men, in good estate, Mr. Edward Jobson did write unto me to move your honour in the behalf of this bearer for his preferment to the widow, of whose disposition to godliness and virtue, having had the education of him, I have good trial, and therefore am the more bold to become a suitor that it would please you to extend your honourable favour to him in this matter, whereby, being grown to man's estate, he may have some stay to maintain himself the better and may be the more indebted to your honour's service, as nature and duty bindeth him. And howsoever this suit taketh place, ready he is to accomplish your honour's former direction most willingly to serve in this voyage with Sir Francis." And so I leave you to God's tuition. *Signed.* ¾ *p.*

Sir Fulke Greville to the Earl of Leicester, Lord Steward of her Majesty's Household.

1587[-8], March 24. Beachamps Court. — I pray you forgive my not having executed the writ concerning the waste of the woods in the Forest. My man brought it me with the patent for the stewardship, and it was shown me and forgotten. I have given no licenses since I got your Lordship's first letter, though urged by many, "as now by one Mr. Foster, nephew to Sir Walter Mildmay, who hath brought down a warrant from him to the woodward for fifty trees to be sold to her Majesty's use

within the manor of Hanbury." If you would write to the two verderers, Mr. Henry Bromley and Mr. Gilbert Lyttleton, to look more diligently to their office, many faults would be revealed that are now hidden. "I must crave your Lordship's aid in this and all other things and beseech you that I may be beloved as the long time of my attending you and my love deserve. If these two be anything to move or continue love, I know none should be beloved before me. I am no stirring man in the world and no man can truly say that I am falsehearted to my friends, and though you be of that calling, I may not so term you, yet for your love I pray you that I may safely reckon of it, and I will pray the Almighty to bless you with all his good blessings."

Endorsed: "Sir Fulke Grevile. 50 trees. Letters to the verderers to do their office." 2 *pp.*

F[RANCES COUNTESS DOWAGER OF] SUSSEX* to the EARL OF LEICESTER, Lord Steward of her Majesty's Household.

1588, March 26. Barking.—I thank your lordship for your favour to me, touching A. Hawll, in satisfying her Majesty and preserving my credit, which is more than my life. "Now, my lord, I do not desire the imprisonment of any, neither do I fear any discredit that might happen to me, because I know my upright dealing. This only, to weigh (?) the dispersing of threescore books into so many places and by his own reports at every table and dicing board to show the same to touch me, which cannot but (where I am not known) cause discredit, though to her Majesty and your lordship I am cleared I trust. Wherefore if it pleased your Lordship that all his said books upon his oath may be repealed and brought unto me by some day appointed, and likewise he may satisfy those parties to whom the books were delivered that he undiscreetly, in some foolish humour, published. Besides, my lord, his continual attendance at the Court sheweth his good favour to the world, and the common jests he hath spread in London (which I will avow) since his calling before you, and how well he hath answered the matter by his late abstract; if somewhat be not done, I shall rest certainly condemned to the world more than before. Therefore, my lord, I wholly rely upon your good favour and direction herein, for that libelling and book printing is offensive to her Majesty's laws, and considering his bravery which he carrieth, that he would not answer to your lordship, but appeal to her Majesty, he may be commanded for a time to leave these parts, which shall suppress his foolish humours and cause him to surcease his unhonest and lewd dealing and better satisfy the world. And so I humbly take my leave." 1 *p.*

Endorsed:—"Countess of Sussex. Arth. Haule."

COUNTESS OF SUSSEX to SIR THOMAS HINEADGE, Vice-Chamberlain to her Majesty.

1588, March 26. Barking.—To the same effect as her letter to the Earl of Leicester. 1 *p.*

* Foundress of Sidney Sussex College, Cambridge.

EDM. KEDERMINSTER to the EARL OF LEICESTER, Lord High Steward of her Majesty's Household.

1588, March 26. Langley Marsh.—I have received your Lordship's letter concerning the timber which you wish to be bought here. Your Lordship has been told that I have the selling of Mr. Carie's woods, but I have only the keeping of his courts, the oversight of his woods being in other hands. Mr. Carye has, to my knowledge, no timber fit for building, "for his woodsales have rested upon coppice woods, and such dead trees as he found decayed after my old Lady Pagett's departure." Otherwise, I am sure that he so much honours your Lordship that you might command him. "The only plot of principal timber in these parts and within four or five miles of the waterside, to my knowledge is Mrs. Alford's of Hicham [Hitcham?]" If I can make any further enquiry or survey for you, I shall be most ready. ½ *p.*

THOMAS, LORD BURGH, to the EARL OF LEICESTER, Lord High Steward to her Majesty.

1588, March 27.—"There is no later matter offered [in] these quarters than I last advertised you. Here is all attents and expectations . . . I received a letter from Mr. Lipsius of Leyden which contained that the Duke of Guise is in siege before Bonne. Skinke* [was] come out before, and had [appointed?] another governor, and left the town to hold for Duke Cassimier. The soldiers of Gertru[den]bergh hath made booty of all Count Hohenlo's goods which were within the town, disavowed his commandment, and say [they] will run the course of the English. As occasion is offered, I will write the occurrences hereabouts," and am always at your Lordship's service. *Not dated, but endorsed* "27 Martij, 1588. L. Burroughes." *Damaged. Seal of arms, broken.* ⅔ *p.*

COUNTESS OF HUNTINGDON to her brother, the EARL OF LEICESTER.

1588, March 29. The Savoye.—Understanding that the High Sheriff of Surrey and Sir William Moore have received letters from the Council touching a controversy between the bearer, William Stoughton, one her lord's men, and Anne Jones, a widow, she begs his lordship to give Stoughton a hearing, and if his cause is honest, to show favour to him. *Signed.* ½ *p.*

[SIR] RIC. BINGHAM to the EARL OF LEICESTER, Lord High Steward of England.

1588, March 30. Dublin.—I have to-day received your letter, written in February, and herewith send your lordship the instructions, written with your own hand, which I forgot to

* Martin Schenk, who had captured Bonn in the previous December.

deliver at my coming away, and also those which I had of Mr. Burgrave, your secretary. If your Lordship wishes for any replies to the same I shall be "most willing and prest to attend upon you honour . . . as in truth I stand deeply bound." I make bold to be an humble suitor to your Lordship to vouchsafe me your help in my causes as occasion may be offered, and commend my humble service to the Countess, mine honourable good lady. ½ *p.*

Endorsed: "Sir Richard Bingham."

[Dr.] Elis Price to the Earl of Leicester.

[1588 ?] March 31. North Wales.—I humbly pray your Lordship to remember me "touching a good part of my living, being called Llanpatrick and Eglys Vaughe, appropriated to the late dissolved monastery of Conwey" which I have in lease for forty years, of which only six or seven are unexpired. Your Honour promised to move her Majesty on my behalf in consideration of my good services in North Wales in the apprehension of murderers, coiners and felons to the number of a hundred, "as appeareth of record in sessions and gaol deliveries before her Majesty's Council, and in the great sessions of the shires of North Wales, which her Majesty's said Council of the Marches of North Wales have advertised your Honour thereof heretofore, and how some of the said murderers have murdered the sheriff of the county of Merioneth, called Lewis Owen." I have hitherto asked nothing from her Majesty, or from her father, brother or sister, all of whom I have faithfully served, but if it would please her to grant me another lease for forty years "or a fee farm, or rather than fail, for three lives, which countervaileth no more than doth twenty-one years, paying yearly the accustomed rent taxed in her Majesty's book, I and mine were much beholden unto your Honour. Divers and sundry persons, as is reported, as Sir Walter Myldemaye's son, Mr. Sparke and others here of North Wales have and do make suit for the reversion of my said lease. Consider, my good Lord, that *mo*[*ra*] *trahit periculum.*" Mr. Atye can tell you further particulars. 1 *p.*

Leonard Fryer to [the Earl of Leicester].

[1588. Before September.]—Petitioner served with her Majesty's forces in the Low Countries for a year and a quarter, first as master's mate, and from the time of his Honour's last going there until Michaelmas last [1587], viz. one quarter of a year, as master gunner. His wages amounted to 92*l.* 5*s.*, at the rate of 4*l.* 10*s.* the month as master's mate, and 9*l.* the month as master gunner, of which he has received 13*l.* 8*s.*, "besides 5*l.* sithence received of Mr. Hurleston,* then treasurer." So there

*Hurleston (or Huddleston) was treasurer at wars up to the end of 1587, and Leicester died Sept. 4, 1588. See a later petition of Fryer to Lord Burghley, S. P. Dom. Eliz. Addenda, Vol. XXXI, No. 135.

resteth due to him 73*l.* 17*s.*, the payment of which he earnestly implores, as he sustained great loss and hindrance in the service, has had to ransom his son, who was taken by the Dunkirkers, and has a wife and seven children. ½ *p.*

SIR CHRISTOPHER HATTON, Chancellor, to [SIR EDWARD MOUNTAGUE?].

1588, October 5. London.—Her Majesty having been pleased to call a Parliament for the 12th of November, whereupon you have now to proceed to the election of your knights for the shire, "I have thought fit, for divers good respects, to recommend to your choice therein my honourable good friend Sir Walter Mildmaye, knight, a person well known unto you all both for his wisdom and great experience in the course of those affairs; as also my good friend Sir Richard Knightley, a gentleman so well affected to the good of his country as that I doubt not but to find yourself and the rest of our gentlemen very ready to yield unto them both your voices and willing consents in that behalf, earnestly praying you to take the pains to move also other your good friends, freeholders, tenants, and servants for the furtherance of their voices thereunto. Not doubting but that their travails and endeavours in every respect shall prove answerable to your expectations and to the full good liking and contentment of you all." *Signed.* 1 *p.*

SIR FRANCIS WALSYNGHAM and SIR WALTER MILDMAYE to SIR EDWARD MONTAGUE.

1588, November 6. Court at Greenwich.—Requesting him to send William Peyton—now in his custody for suspicious behaviour—to his brother, Robert Peyton, Esq., of co. Cambridge, who is to "keep him forthcoming" until further order be taken with him. *Signed.* ½ *p.*

HENRY MOUNTAGU to his father, SIR EDWARD MOUNTAGU, at Boughton.

1588 [-9], January 25. Middle Temple.—On the judges coming to town, I delivered your letter. "I found them very thankful in that you took that care for them, and not a little displeased in that Mr. Mayor should so answer you. Justice Sute [Schute] told me after my second coming to him, which he willed, that they were not resolved whether to complain unto my Lord Chancellor or to my Lord Treasurer, or else to help it themselves. Justice Gaudy, he inquired of me what other convenient towns there were in the county, fit to receive them, and meet for the ease of the country. I named unto him Wellingborough and Kethering. Neither of them was determined what to do, wherefore they willed me to repair unto them on Monday or Tuesday next, and I should then know what they

purposed." Mr. Sadler delivered your letter to Sir Walter Mildmay, who thinketh well of it in everything, as Mr. Sadler tells me. I sought Mr. Lane at his house, but hearing that he was, and generally is, at the court, I left your letter to be delivered to him. I was with Mr. Skinner, as you wished, and received the warrant which I send you, and for which I gave him 10*s*. 1 *p*.

HENRY MOUNTAGU to his father, SIR EDWARD MOUNTAGU.

1588 [-9], Feb. 1. Middle Temple. [First part much torn].—I have returned you Sir Henry Cromwell's writ. I was with Mr. William Lane this afternoon at the court, and after many fair words he said that within a fortnight at furthest he would be with you in the country. "Mr. Randes, I thank him, putteth me to my shifts. Stevens was with Peter Tate, but he hath neither written to my Lord Chancellor nor taken any other order for your discharge. Randes came up to London with Stevens all the way, making him believe that his coming was to pay the money, and that he had the money ready to pay, but since he got London on his back, we could never set eye on him, nor hear what is become of him. The prefixed day is on Monday next. If I scape well then it shall be a caveat to deal safely hereafter. Your neighbours of Brigstock are here in London, and my Uncle Roger travaileth with them about the despatch of their business, but I think they have done nothing yet." 1 *p*.

ORDER IN COUNCIL.

1589 [-90], Feb. 19. Greenwich.—"Orders to be put in execution by the justices of peace in the several counties of this realm for the restrain of eating and killing of flesh in the time of lent and days prohibited." *Ten signatures, all in one hand.* 1½ *pp*.

THE COUNCIL to SIR EDWARD MONTACUTE and WILLIAM AGER, Esq.

1590, June 5. Court at Greenwich.—Desiring them to call before them Richard Clifford and the Mulsoes, his sons in law, to hear and examine a difference between them, particularly in regard to a certain lease of which Clifford is possessed in right of his wife, and to endeavour to end all causes of unkindness concerning the same, failing which they are to certify with whom the fault lieth, that further order may be taken. *Signed by Lords Howard, Hunsdon, Cobham and Buckhurst.* ½ *p*.

SIR WILLIAM FITZWILLIAM to his cousin, SIR EDWARD MOUNTAGUE, at Barnewell.

1591, October 13. Dosthorpe, "between three and four of the clock in the morning."—"My wife and I were so fully purposed to have seen you and my good lady as both horse, men, and carriage

were put into a readiness on the Tuesday at night, to have conveyed us unto you the next Wednesday," but my wife was taken so ill that we are stayed from seeing you this year, "for the which we are both sorry, hoping that we shall hereafter many times meet together to our contentment and comfort.

"I have sent you by my man the view of our men, armour and horse. The number of our horse are diminished to four by the death of Mr. Woorine [? Warren], Mr. John Wingefelde, Mr. Hack and Mr. Francis Ashbie." I shall dispatch the examination of the purveyors on Thursday next. "I have likewise spoken about the remnant of the provision money, but my cousin Wingefelde being now sick, who took the matter upon him and never did anything in it so far as I can learn, will cause Maidewell to stay longer for his money I fear than in reason he should . . . . . I have sent to my lady, by my wife's commandment, five peaches, being half the number within one that were gathered off my tree. The other half, Mr. Roger Manners had. Likewise two pears, being the first fruits of a tree in my orchard. I pray God you may so well like of them as that you will send for some grafts, for that would be a great honour to my poor orchard." *Seal of arms.* 1¾ *pp.*

HENRY, LORD HUNSDON to [SIR EDWARD MONTAGU?].

1592, April 3. Whitehall.—My son, Sir George Carey, having been made keeper of Brigstock Parks by her Majesty, you are required to appoint a time to view the state of the game there, as also of her Majesty's housing and lodges in both the said Parks, certifying me thereof when done. *Signed.* ½ *p.*

SERJEANT AT LAW.

[Before June, 1592.]—"Manner of making a serjeant at law," describing the robes worn, the order of the ceremony, the exhortation of the Lord Chief Justice, the repairing to "Westminster Church," and the close of the ceremony in Westminster Hall. Sir Christopher Wray is mentioned as Lord Chief Justice, so the date must be between November 1574 and June 1592. 5½ *pp.*

ROGER MOUNTAGU to his brother, SIR EDWARD MOUNTAGU.

1592, November 4. London.—I have seen Mr. Croume, and he likes well of your proceeding, but desires speech with you. He says if you cannot come up to London at the term, he will meet you at any place you may appoint within ten miles of your house. "I think it were not amiss for you to write to him and to entreat him to come to your house." As for Ann Lane, I pray you to provide her a mistress in the country, as she is a great charge to you here. When her mistress went into the country, I was

obliged to let her come here "to the pestering of my house, being little, for they are fain to lie three in one bed, and if any of them should be sick, I have no place to remove one from another." 1 *p.*

ROGER MOUNTAGU to his brother, SIR EDWARD MOUNTAGU.

1593, May 27. London.—I have received your letter of May 24 with the copy of a letter from the Privy Council, "whereby I perceive my brother Thomas Mountagu his wife and her son hath made great complaint of him and doth suppose the statute extended by my brother William to be but a matter of fraud, but I do assure you my brother William must pay unto me for the debt of Thomas Mountagu the sum of 571*l.*—let him recover it as well as he can of my brother Thomas and his lands—wherefore I pray you that you would meet at the Lord Mordaunt's that all things may be indifferently heard," and then my brother William will affirm as much to you as I have written, and you will find that there is no fraud either in him or me. 1 *p.*

THE SAME to THE SAME.

1595, April 13. London.—I gave Sir John Spencer's letter to Mr. John Hare, who read it to me and said that Sir John was mistaken, for he had no money of his. I have spoken to Richard Mylles and to Meryame(?), who say that if they can be sure to receive their money at Mr. Samuells' house in Northampton on St. Gory's [Gregory's] eve, they would pay me £200, but if they did not then receive it again it would be "to their great loss and disappointing them of their market," so I pray you certify this by the next carrier.

Postscript. I have received of Mr. Petty 150*l.* to your use by appointment of Mr. John Rede, and have given my note of hand for the same. 1 *p.*

THE COUNCIL to the JUSTICES OF THE PEACE in co. Northampton.

1595[-6], January 18. Court at Richmond.—Stating that in consideration of the scarcity in the county, they have taken order to remit the provision of grain therefrom, in lieu whereof the quantity of other provisions is to be increased. If four score oxen, two hundred porks, and three hundred flitches of bacon be provided, the justices will be held discharged, and that these may be afforded "with the better contentment of the country and at a more reasonable price," warrant has been directed to the subsidy collectors of the county to deliver so much money as will pay for them. *Signed by John [Whitgift] Archbishop of Canterbury, Lord Keeper Puckering, the Earl of Essex, Lords Burghley, Howard, Cobham, and Buckhurst, Sir Robert Cecil and Sir John Fortescue.* ¾ *p.*

THE COUNCIL to the [JUSTICES OF THE PEACE?] for co. Northampton.

1595 [-6], March 4. Court at Richmond.—Requiring that the thirty-nine men ordered in June last to be provided by the county for service in Ireland, should now be dispatched to the port of Chester, to be sent over, "one half of the whole number to be shot, whereof one fourth part to be muskets, the other half of the whole to be armed with corslets and pikes, saving some few halberts," and they being also provided with coats "of good cloth, well lined and of blue colour" and conduct money; for which provision, allowance will be made of "four shillings for every coat, and of conduct money according to the miles from the place where they are levied unto the port of Chester, where they shall enter into her Majesty's pay." A roll is to be delivered with them, giving their names, surnames, armour and weapons, and a like roll to be sent to be enrolled in the Exchequer. *Signed by Lord Keeper Puckering, the Earl of Essex, Lords Burghley, Hunsdon, Cobham and Buckhurst, Sir Robert Cecil and Sir John Fortescue.* 1 *p.*

JOHN BRUDENELL* to SIR EDWARD [MONTAGU].

1596, May 10. Deen.—Regretting that he is prevented from assisting in the "seassing" of the pastures for her Majesty's provision, stating his willingness to pay whatever is in equity set down for him, but praying for consideration of the fact that Coles Close in Deen "is set at the uttermost already." *Seal of arms.* ½ *p.*

THOMAS MULSHO to [SIR EDWARD MONTAGU].

1597, April 15. Thingden.—I sent yesterday to Sir John Spencer for the rate of charge of the men on that side, and also for their day of muster and the order of their providing of armour and weapons, but have heard nothing as yet. I have rated the towns, &c., and the whole comes to 130*l.* 10*s.* 4*d.* in my reckoning. I will attend you with it to-morrow afternoon. I send you my Lord Keeper's letter for archery. "Your loving nephew to command." ½ *p.*

Underwritten:—

LORD KEEPER EGERTON to the SHERIFFS AND JUSTICES of co. Northampton.

1596[-7], February 18. The Rolls.—Stating that Henry Hougham, Edward Phillips, Nicholas Sharpe, Robert Tyton, and Edmund Hougham are Commissioners of archery for co. Northampton, but as he understands that such Commissioners have heretofore sought "rather their private commodity than the public good," he requests that their proceedings may be con-

* Son of Sir Thomas Brudenell and uncle of the first Earl of Cardigan.

considered, so that if they "bend themselves to the suppressing of unlawful games and to the maintenance of archery" they may be furthered and assisted, but that if by tolerating unlawful games, and omitting the use and exercise of archery, they seek their own undue gain, their commission may be taken from them, and they called to answer their misdemeanours. Copy by Mulsho. ½ *p.*

THOMAS MULSHO to [SIR EDWARD MONTAGUE].

1597, June 4.—I pray you let me know your pleasure concerning the musters, "for I am set aground." Sir Richard Knightley wishes you to meet him and the rest at Northampton, to order the charge of the county. "I came home last night, weary both in mind and body, otherwise I would have come to you myself." ½ *p.*

SIR ROBERT WINGFILD to his cousin, EDWARD MOUNTAGU, Esq.

1598, April 17. Upton.—Hearty commendations and many thanks for all your kindness. "I have sent the bailiff of the liberties with 10*l.* of the 20*l.* due for borowesoke, 159[7 ?]. I pray you, let him have commandment for so much as is our due to pay this year. I have sent you the names of the arrearages also, leaving the matter of sending a pursuivant to your own pleasure and your good father's. If they do not pay henceforward, Mr. Wingfeild and all his tenants, in humility or rather in good husbandry, will suffer all men to pay before him. When I come to Brigstock Court, God willing I will come to your good father, and so with him go to Drayton." I fear I shall not see you there. *Signed.* ½ *p.*

SIR THOMAS CECIL to SIR EDWARD MOUNTEGEW.

[1598 or earlier*] April 27. Wimbleton by London. "According to your request, I will, before I conclude with my Lord Mordaunt for the exchange between him and me, do what I can to procure you the inheritance of the patronage you desire. I have not as yet gone through in procuring the farm of the three hundreds, for that there is some stay made of Sir Henry Cobham's book which I think in the end will proceed. Thus wishing both to my lady and you continuance of your good healths, my wife and I desire most heartily to be commended to you both."

Holograph. ½ *p.*

ROGER MOUNTAGU to his brother, SIR EDWARD MOUNTAGU.

1598, July 16. London.—"I have had speech with Mr. Cucer concerning his house, and I find his house will not be much under a hundred pounds a year, with tables, stools, bedsteads, pewter and brass and some beds, if you need, and a stable

* Sir Thomas Cecil became Lord Burghley on his father's death, August 4th, 1598.

convenient for three horses or four. He is gone now into Cornwall, but he will be at London by Bartholomew's day. You may have it by the year or by the half-year, as you shall think good." My hearty commendations to you and to my lady.

Postscript. I have sent by Blofeld a firkin of sturgeon which cost 26*s.* and a runlet of sack which cost 21*s.* ½ *p.*

ANNE, COUNTESS OF WARWICK to SIR EDWARD MOUNTEGEWE.

1598, September 10. From the Court.—"I understand that my brother, Sir William Russell, having a little piece of land there called Aberye, being about nine score acres, and heretofore sessed at 9*s.* towards her Majesty's provision, is now charged to pay 54*s.* or more towards the same. And because you know in your own experience how great an inconvenience such a precedent will work in time, ... I do very earnestly pray you, as well for the love you have ever shown towards me and our house, as also for your well-wishing to my brother, that you would . . . . take some order for qualifying that imposition, for which you shall make us both beholding unto you." *Signed.* ¾ *p.*

THOMAS, LORD BURGHLEY to EDWARD MOUNTAGU, Esq.

1599, July 13.—Concerning the providing of bucks for her Majesty's use.

Holograph. ¾ *p.*

Seal of arms in garter. [*Printed, from a certified copy, in the Report on the Buccleuch MSS. at Montagu House, Vol. I., p. 235. The word rendered* "pair" *in the last line of the copy is* "paye."]

ROGER MOUNTAGU to his brother, SIR EDWARD MOUNTAGU.

1599, August 24. London.—I have received 136*l.* from Wm. Paull, butcher, for your use, and given him a note of hand; I have paid Thos. Bateman of Thrapson [Thrapston] 14*l.* 16*s.*, and got back your note of hand, and I have also paid 10*l.* to your servant, Thos. Madocks, to defray your men's charges; 10*l.* to Edmund Nycollson for six horsemen's coats, and 6*l.* 16*s.* to your son Sydney for what he has spent in furnishing your men, the whole amounting to 41*l.* 12*s.* ½ *p.*

THE SAME to THE SAME.

1599, October 21. London.—I paid their quarterage to your sons James and Sydney at midsummer, as you desired. You gave me no order for your son Henry, but as he demanded it, I paid him also and have given him 7*l.* 10*s.* for this Michaelmas, making 15*l.*

Postscript. I have received 4*l.* of Wm. Paull for the sheep. When your son Edward comes up, I will pay him 19*l.*, according to your letter. ½ *p.*

CHARLES MOUNTAGU to his mother, LADY MOUNTAGU.

1600 (?), May 24. London.—"I can write you little yet of any proceeding in my own business. Yesterday I was with Mr. Secretary, and delivered my letters to him, and received a short and sweet answer. I am directed a course whereby I shall have his favour as I am promised, though I am not like to commence many suits. Tomorrow, God pleased, I go to the Court to show myself at the Council table. I have, according [to] your letter, set the goldsmith in hand with the bracelet you write of. My brother Caple will not let me see the bracelet, but hath showed it to the goldsmith. He says it will cost 7*l.* There is so much out of the £200. And it please you, I will give you the wearing of it till I find my own (*sic*). My brother Sidney will bestir him the next week for my sister Docy." I crave my father's blessing and yours. ½ *p.*

ROGER MOUNTAGU to his brother, SIR EDWARD MOUNTAGU.

1600, June 8. London.—Has paid Peter Paumer, by assignment of Thomas Bateman of Thrapston, 100*l.*, and got back the note of hand. Sends four lemons, which are all he could get in London, and which, though but little, cost 4*s.* Is sorry to hear of her Ladyship's sickness, and prays God send her health if it be His holy will. ½ *p.*

EDWARD MONTAGUE to his mother, LADY MONTAGUE.

1600, June 19. London.—"I perceive by a letter from my brother Walter that he hath delivered my letter unto you, about Luddington fines, wherein I was bold to propound an offer to you to be moved to my father, the which it hath pleased you accordingly to perform, for the which I humbly thank you. But I perceive by my brother's letter that it is nothing well pleasing to my father, because of the affection he hath himself to the place, as also in respect of the commodity he makes of the things desired . . . therefore I beseech you that as the thing shall not be once thought of by me, so let it be forgotten of my father and you. And whereas Clement writes unto me that Mr. Latham, being at Boughton, made offer to me of his parsonage for some other consideration, the which you being made acquainted with, he sends me word that you would have me go forward with it, [I w]ill think upon it, but upon the first thought I cannot see how it wo[uld be any] way convenient for me as it is, and to bestow cost of it were more than folly, considering the tickle estate. I have been much troubled about getting a house thereabouts, but truly forsooth from hence forward I will leave off that care. It will not displease my wife to be at London, and her estate doth more require it now than ever it did, and I hope you will not be weary of my company in the country, for when my sister Theodosia is gone from you, you will not be well

pleased unless you have some of your children with you. And I may be set so to work that I may at my father's hands earn my victuals, for which I may keep him company at chess, and if need be I may take his part at double hand Irish, and if there be occasion of weightier matters, as punishing of rogues and such like, if it please him to employ me [it] may ease him. And to do you some service I may in the summer-time [gather aprico]ts and peaches or some such like work, and when they are well pic[ked I will] do my best, (if Rawson be out of the way), to learn to pack up [the] boxes better than my brother Webster and I could do the last year. And if [none] of all these pains do deserve my meat and drink, yet truly they would be well bestowed of me, because they will be well seen (*sic*) by me, especially if I may have fromenty and cheesecakes. But I am afraid that you will not be at Barnewell this year, and then you will not have so good store of that kind as you had the last year.

I do fear you have lost a collop and continue still weak. You know I am seldom without a medicine for my friend, what distaste soever he hath. It becomes me not to conceal it from you, for I know that if you will observe it, you shall find good of it. I have not read it in Gallen, but learned it out of Solomon, *a joyful heart maketh a cheerful countenance*. This cordial hath these properties—it will quicken the eye, ruddy the cheeks, clear the blood, and make the skin fair. There is never a lady in this town but might be glad to know the secrecy of this, and it might save them much cost that they bestow upon colour and complexion. But the way to know the excellency and virtue of any thing is to compare it with the contrary, and to see what ill effects that brings forth. My author saith *By the sorrow of the heart the spirit is broken*. Heart's grief mars the looks, dulls the spirits in such sort that one hath not the perfect use of his wits; it makes one even with pain to draw his breath. Nay, see a further virtue of the cordial, *a joyful heart causeth good health*, beware therefore of the contrary, for *a sorrowful mind drieth up the bones*, that is, it causeth death. I pray you think I am not in jest. It is another gates* medicine than the Rhinoceros root; that was but for white hands, but this is for all parts of a man's body and soul too. I beseech God to give you this cordial comfort, and then I doubt not of your perfect recovery. And if I have been more tedious than I should be, I beseech you bear with my desire a little to stir up your spirits." I crave your daily blessing. *Damaged.* 1 *p.*

SYDNEY MOUNTAGU to his mother, LADY MOUNTAGU, at Boughton.

1600, July 19. Middle Temple.—I suppose you are at home again as I have not heard from you this week. I send you letters received from Kent. "I perceive by the Captain that you are

* "Other gates, in another manner"—*Halliwell.*

not like to have any Kentish guest, but it may be you may have some Londoners, and therefore [you] will keep a bed if not a lodging for my [Lady] Hastings, who hath a very good will to see the bride and you, but I cannot promise it from her . . . I suppose you are now so busy in looking unto your house as you will have neither leisure to read nor write letters. I hope all my sister's things will be done this week." *Damaged.* ¾ *p.*

THE COUNCIL to the SHERIFF and other COMMISSIONERS for the Musters in co. Northampton.

1600, December 6. Court at Whitehall.—Her Majesty has occasion to send a thousand men to the north of Ireland, but only twenty-five are to be required of co. Northampton, who are to be dispatched [with certain arms and equipments, specified]. Special care is to be taken that they are serviceable and able men, for, as they are "to be employed in the North of Ireland where the plantation and maintenance of a strong garrison hath been a good help to divers great services which have been done this summer in that kingdom, and will give furtherance to some actions that are to be undertaken this winter, her Majesty doth desire now that the fruit thereof is seen, that they may be supplied in that sort as the chargeable war may have an end." If possible, they are to be such as are accustomed to the use of the fowling piece, and as artificers are needed, a carpenter, smith, saddler, and bricklayer or hewer of stones are to be of the number. A sufficient and discreet conductor is to be chosen, and as the ordinary rate of pay for conducting a hundred men, 4*s.* a day, is too much when the number is so small, you are to fix such sum as you think meet for him. The men are to be at the port of Chester by the last day of the month, whence they will be transported to Loughfoile.* *Signed by Lord Keeper Egerton, the Earl of Nottingham, Lords Buckhurst and Hunsdon, W. Knollys, Sir Robert Cecil, Sir John Fortescue, Sir John Popham, Sir J. Herbert, and Sir Wm. Waad.* 2 *pp.*

GEORGE, LORD HUNSDON to HENRY MORDAUNT.

1600[-1], March 11. Court at Whitehall.—Your pretended title to Briggstock Parks is proved of no validity, but "at your request I enlarged the days limited for yours and your servants' departure from thence, that you might perceive I was ready to yield you any kindness that I might in mine honour afford . . . . I pray you from henceforth take knowledge that I have appointed and deputed my good friend Sir Edward Montague, knight, his son Edward Montague, and Ambrose Astell, to receive the grounds and lodges unto their hands . . . . and whereas I understand you have bought of Seares certain goods which—as I take it—he had no right to sell unto you, but conceive and think that in right they were appertaining and annexed unto the

* Compare the Queen's letter, in the Report on the Buccleuch MSS., p. 235.

lodges, as the wainscott of the gallery, locks, doors, and tables," I pray you, show me the courtesy to return the things, and for such as he proves that he had a right to sell, I will repay you the uttermost that you gave, "for though my brother, Sir Thomas Leigh, bought them by surmised right from Mr. Knowles, yet I suppose he sold what he had no right unto." *Signed. Seal of arms.* ¾ *p.*

ROGER MOUNTAGU to his brother, SIR EDWARD MOUNTAGU.

1601, June 28. London.—I hear nothing of Thomas Bateman, but have the 100*l.* ready for him on receipt of your note of hand. I send you an obligation to be sealed for it for two months, by which time I think Mr. Yewe will have paid you, and also one for 1,734*l.* 10*s.* 9*d.*, being the remainder due from you to me on our last reckoning. I wish you "continual heath, with great joy in the matching of your son."

Postscript. If you have not sold your sheep, Mr. Paull, butcher, would like to see them. 1 *p.*

EDWARD WATSON* to his uncle, SIR EDWARD MOUNTAGEW.

[Before 1602†], March 31. Ketheringe.—I have sent you the bill of charges laid out by me in defending myself against Mr. Law's unjust vexations. I hope you will think it reasonable, but I refer myself to your discretion, esteeming your friendship more than "the extremity of Mr. Law, his friends and coadjutors." If all covenants were frustrated "I would not doubt to pacify his heat with shame to his cost." He throweth open my close gate, and denieth me and all the inhabitants our rightful common, which we and our ancestors have enjoyed time out of mind, and bears himself so high to Sir Robert Lane and yourself, "that manifest wrongs is as common with him as harvest."

Seal of arms. ¾ *p.*

LIST OF PLATE.

1602, July 5.—List of silver plate sold to Mr. Edward Mountague, value 395*l.* 2*s.* 4*d.* Also list of gilt and white plate received from Mr. Mountagu, value 394*l.* 10*s.* 1*d.* Balance due to Mr. Newman, 12*s.* 3*d.* With receipt for the same. 1½ *pp.*

SIR WILLIAM FITZWILLIAM to [EDWARD MONTAGU†].

1602, September 11. Dosthorpe.—If you and Sir Richard Dier are executors, as you pretend, there is no reason why you should not fell and sell such woods as appertain to you by that office,

*MS. Note.—Edward Watson, of Rockingham Castle, son of Edward Watson by Dowse, daughter of Lord Chief Justice Montagu. [Knighted, 1603.] Ob. 1616.

† Sir Edward Montagu (2) died January 26, 1602. His son Edward was not knighted until after the accession of James I.

but I would wish you to wait until the thing is settled. It would be well for one of you to come over and view what wood you mean to sell, and I will willingly give you its value if your title is proved. If, however, you proceed further I shall do as my counsel has advised. As to the keeping of the courts, which would be a charge to you and needless except for gathering the chief rents, I will see these rents satisfied to you if it is decided that you are executors. *Seal of arms.* 1 *p.*

SIR RICHARD KNYGHTLEY to SIR EDWARD [MONTAGU].

1603 [-4], January 26. Norton.—Understanding that Sir Edward is to be one of the knights of the shire, with "no repugnant voices," he begs his influence that his son, Sir Valentine Knightleie, may be joined with him in that service. ¾ *p.*

HAMPTON COURT CONFERENCE.

[1604, January.]—"Our earnest suit to our reverend brethren, chosen to deal for the cause in the conference, is that according to the calling and opportunity that God hath given they would solicit his Majesty in the behalf of the Church in these points.

1. That there may be order taken for establishing of such ministers in any congregation as are well approved to be sound in religion, able to teach, diligent in teaching, and of unblameable life, and for the avoiding of all dispensations for pluralities, non residents and commendams.

2. That order may be taken for raising a competent maintenance for the ministry by uniting of small parishes, near adjoining, by making void unreasonable prescriptions in the commodities of the church, or by help yielded from impropriations where the vicarages are not sufficient, either by causing of colleges, bishoprics, and cathedral churches to be leased only to the preachers upon the accustomed rent and fine, or by some other convenient way.

3. That the articles of religion may be reviewed, and more particularly and plainly and fully set down, that so all erroneous doctrines may be prevented, and the doctrine of the church touching all points controverted at this day may be clearly known, and that subscription may be required only to those articles as to the confession of the faith of our churches.

4. That all ceremonies that have been known to be offensive, and which very many profitable ministers in the land cannot be persuaded to use, may be abolished, or at least left free to use or refuse according to the conscience and discretion of the faithful minister.

5. That the liturgy may be corrected according to the Word, and that for the better fitting and enabling men for the ministry the exercise of prophecying may be established, both in the universities and in every parish in the land.

6. That according to the statute 25 Henry VIII., the canons and ecclesiastical laws may be reviewed, and that so all which are not sound and agreeable to the Word may be abolished, and the rest publicly and plainly set forth, that we may know what laws we are bound to obey.

7. That the abuses of ecc[lesiastical] Courts, especially in the matter of exc[ommunications?] and the oath *ex officio* may be redressed, and the minister's right in the exercise of the church censures and ordination of ministers may be restored.

8. That better order may be taken for the observation of the Sabbath, both for the inhibiting of wakes, pastimes and fairs on that day and for the reverent and diligent frequenting of the church assemblies, as also for the abolishing of all holy days carrying the name of saints.

9. That a catechism containing briefly all the chief grounds of Christian religion may be by sound advice composed and set forth for the use of every congregation throughout the land, with order that the people submit themselves to learn the same.

That his Majesty may be satisfied concerning the imputation of puritanism, disloyalty, innovation and faction that have been laid upon the faithful ministers and people of the land, and that humble suit be made to his Highness that either by proclamation or otherwise, they may be freed from those reproaches, and that the ministers within any diocese [who] are now troubled by the bishops for the ceremonies, subscription, and such like, may be thereby set free, at the least till such time as these matters shall be by his Majesty and the parliament fully determined, and that the bishops and their officers may not till then be permitted to molest them for the matter above named.

BISHOPS OF THE CONFERENCE:—

Canterbury.
London.
Durham.
Winchester.
St. Davids.
Worcester.
Carlisle.
Chichester.
Oxford.

DEANS

Of the Chapel
Westminster, Dean And[rews.]
Paul's, Dean Over[all.]
Christchurch, Dean Ravis.
Worcester, Dean Edes.
Winchester, Dean Abots.
Windsor, Dean Tomson.
Chester, Dean Barloe.

MINISTERS OF THE CONFERENCE:

Dr. Reinolds.
Dr. Sparkes.
Dr. Feilde.
Mr. Chaderton.
Mr. Knewstubs.

AT THEIR CONFERENCE AND IN PLACE:—

Monsieur Gourden.
Mr. Galowaye.

AT, BUT NOT IN PLACE:—

Mr. Wilcockes, Mr. Egerton, Mr. Jacob, } London.
Mr. Barbon, Mr. Sheifeilde, Mr. Binckes, Mr. Woode, } Northampton.
Mr. Snape, Exeter.
Mr. Nichols, Kent.
Mr. Fletwoord, Lancashire.
Mr. Dod, Oxfordshire.
Mr. Parker, Wilton.
Mr. Widley, Portsmouth.
Mr. Turner, Salisbury.
Mr. Gurgame, Wiltshire.
Mr. Wilson, Surrey.
Mr. Hildersham, Mr. Sherwood } Leicester.
Mr. Studley, Mr. Hussey, Mr. Beard } Middlesex.
Mr. Erburie, Mr. Norden, Mr. Frawell, Mr. Goldsmith } Sussex.
Mr. Dike, Herefordshire.
Mr. Fisher, Buckingham.

The use of the surplice, cope, cross in baptism, kneeling at Communion respectively to the Sacrament, imposition of hands in Confirmation, ring in marriage, and sundry other offensive ceremonies in our church, is not indifferent but simply unlawful in the public worship and divine service of God.

ARGUMENTS.

Argument 1. Ceremonies which are of the same kind and use as were the Levitical ceremonies, which by ordinance only have an holy use in the divine service and a mystical signification of an holy thing are not indifferent, but simply unlawful to be used in divine service.

And the ceremonies above named are of such use and signification—*ergo* *

Major.—1. Christ by his death has abolished the Levitical law and thereby all the ceremonies thereof, and instead "hath left only two Sacraments and imposition of hands in Ordination, and another of that kind and power in his church, but only such."

2. Under the Levitical law no ceremony was lawfully used without the express ordination of God himself, and therefore now, when the ceremony law is abrogated, none of that nature may lawfully be used without the like express warrant.

3. Christ condemns the like significant ceremonies, as imposed by the precepts of men.

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* The arguments have been somewhat condensed.

4. By allowing and using such, we lay a ground to warrant all other ceremonies ordained and observed in the Church of Rome.

Minor.—"The minor is plain by the preface before the Common [Prayer] Book, which affirmeth them to be neither dark not dumb, but set forth that every man may understand what they mean and to what use they serve.

2. By Mr. Jewell's report of them.

3. "Which also is indeed manifest:—First, in the Cross, and by the words annexed, which show a mystical signification thereof and advance it to the nature of a Sacrament by so applying unto it the very mystery of Baptism. 2. By the surplice, by the writings of Durandus and other principal men of the Church of Rome, from whence we have received it. 2. (*sic*) By the profession of our own men who are the chief maintainers of it. 3. Also by the common conceit and acceptance of all papists and those that are superstitious and ignorant." And the like of all the other ceremonies.

Argument II.—"If it were never so lawful to ordain significant ceremonies, yet it is not at all lawful to take any such either from Levitical priesthood, for that were to revive those that are already dead by the death of Christ and for ever buried by the Apostles' doctrine; or from the heathen idolaters, for that were against the Scripture . . . . or from the Church of Rome, for that were to commit sin with an higher hand, in taking unto us the marks of Antichrist, the arch-idolater."

But the surplice and other vestments are derived from the Levitical linen ephod, and partly from the Egyptian priesthood, and all from the Romish priesthood, and the sign of the Cross "was the great idolatry of popery, used in all sacraments," *ergo*, they are unlawful by us to be received.

Objection. But the cross, surplice, &c. are not originally from the papists, but were used by the Fathers within four hundred years after Christ, before the Pope came to his height, *ergo:* "They may be derived from them, not from him."

Solution. Many other ceremonies, "viz. altar, holy oil, milk, honey, and such like" were used by the Fathers, "all which were a seed of Antichrist's abomination," which afterwards were established by the Roman canons, and so became creatures of Antichrist and proper marks of subjection to him.

Moreover these ceremonies, and especially the sign of the cross, were never "more grossly spoken of by the schoolmen who in popery followed after than they are by those Fathers, *ergo* not to be accepted of us . . . neither to be urged upon us by their warrant, sithe they do give no absolute allowance to their authority therein, for then it were reason we should receive them as they do offer them, and not as we list to take them."

Argument III. If these ceremonies are taken from popish idolatry, others may follow, for "the cross is more superstitious and idolatrous than any of the rest, and the surplice not much better, except as Donatists we will say *quod volumus sanctum est.*" But yet our church does not hold fit to receive, nor does *de facto* receive these others. *Ergo*, it neither ought (as we would to God it did not) receive the foresaid.

Argument IV. "If it were so that ceremonies might be taken from the Papists' priesthood and used by the ministers of the Gospel, yet can it not be any indifferent thing to impose the use of such of them as are notoriously known to give scandal and to hinder the good course and success of the Gospel. But the ceremonies propounded are such," *ergo:*

Major. The major is the doctrine of the Apostles touching scandal, not only in the matter of idolatry, I. *Cor.* viii. 9, 13, [x.] 28, 33, but also in things of much less importance, *Rom.* xiv. 14, as were the Jewish ceremonies of days, &c.

Minor. The minor is evident:—1. In point of scandal, as obstinate papists are confirmed by it in the opinion of their religion, as Harding avoucheth against Bishop Jewell, saying if these were good, then all popery was not bad, and that he hoped the rest would follow. 2. The novice in the Gospel is thus drawn back to popery. 3. The most sincere professors of the Gospel are much grieved thereby. 4. We ourselves and many of our brethren are persuaded of the indifferency of these ceremonies.

By their enforcement, many are driven back from the work of the ministry, many worthy ministers are thrust out, and "the most of any integrity continually vexed for not observing them." The common adversary of religion is armed by the same, and the common people distracted in opinion both of the ministry and of religion "and we for our parts, and many other of our brethren, are of mind rather to endure expulsing from our ministry and places in the church than to use those so offensive ceremonies and especially to subscribe to them against our resolutions and our consciences."

Argument V. "Those ceremonies which the best reformed churches have repelled, and in a manner all godly learned men of the universities abroad and the most worthy men of our own nation, of whom some were martyrs, and others even for these things lost their ecclesiastical promotions, and which especially are approved and maintained by such as enjoy the dignities of the church and are for the most part of them pluralists and non-residents, those, we say, the faithful ministers . . . ought not to receive."

Against ceremonies in general.

More arguments *in diem secundum.*

Whatever is not contained in the Word is burdensome to the conscience of Christians, who are set at liberty by Christ. Acts xv. 19; I. Peter, v. 3. But such are these ceremonies, especially the cross and surplice, *ergo*:

Minor. As they are not expressed in the Word, the ministers cannot "use ceremonies in the service of God, which have especial ornaments in the service of Antichrist, as the cross and surplice."

Common experience shows those that are acquainted with our country congregations that the people are three ways affected. To those effectually called by the preaching of the Gospel to the more sincere profession of religion, the use of the said ceremonies hath been, is, and ever will be, very offensive, both as thrust into God's service without warrant from the Word, and as substantial parts of the popish idolatry, wherefore the ministers, even if themselves persuaded of the indifferency of them, ought not to use them, much less to be forced to use them against their own consciences, which is "to rule as lords over the faith of God's heritage, and to sit in and even to bind their consciences. Again, some of the people (as lamentable experience after so many years' preaching of the Gospel doth too plainly witness in most places) are notwithstanding merely ignorant and superstitious, to these the use of them so long already hath wrought a kind of harding in their religious conceit of these holy uses and significations which they had in the popish church, and makes them to think far better of all other ceremonies, yea, and do wish that they might have again the old service, alleging that love and charity and plenty never went out of the world, nor that scarcity, hatred and other calamities never entered into it until this new law (for so [they] term the profession of the Gospel) came up, even as the Jews did, Jer. xliv., and what can the continuance of the said ceremonies do unto such, but further to obdurate them in their former conceit and love to those and all other Romish reliques, and further to nouzell them up further in their inveterate rancour against the profession and professors of the Gospel. To those, therefore, nothing but the abolishing of them can do any good. Lastly, other some are either indifferent or plain neuters, of which the last sort greatly regard not of what religion they be, and to the former all things being indifferent, they not using of them, cannot hurt at all."

Argument II. "Whatsoever is brought into the service of God by the authority of human tradition, and not by the Word of God, ought to be rejected. But the cross in baptism, &c., *ergo*—

Major. The major is evident. 1. By the doctrine of our Saviour. Mat. xv. 2. By the doctrine of protestants against the traditions of popery. 3. If this tradition in one may prevail it may also in all offered by the papists bearing the same authority of antiquity.

Minor. Is proved by the testimony of Tertullian *de cor.*, who speaking of the cross amongst other things hath this: *Horum si legem postules scripturare nullam invenies; traditio tibi pretenditur autrix, consuetudo confirmatrix, fidus observatrix.*" *

Argument III. If we receive the cross by tradition of the Fathers, we must by the same admit the most gross errors of popery, viz., sacrifice, but this we may not. *Ergo*—

Major. *Vide* Tertullian, *ibid.*

Minor. The minor and conclusion are evident.

Argument IV. If we receive the sign of the cross in baptism by the authority of the Fathers, we should also receive the anointing with holy oil (and that the rather because it hath a more consonant signification to the word), the altar to consecrate it, milk, honey and imposition of hands also in baptism, "and the rather because they were never brought into popery, for Cyprian, the author of the cross, saith of the oil, *Epist. liber primus:*† *Ungi quoque necesse est eum qui baptizatus est,* adding the signification thereof, viz.: *accepto christmate, id est unctione, esse unctus Dei et habere in si Christi gratiam posset,*" and Tertullian *Contra Marcionem,*‡ saith *Nec olium reprobavit quo suos uncit,* meaning the baptized, which he highly approveth, saying *Etiam in sacramentis suis egens mendicantibus creaturis,* which also was used in all churches, Greek as well as Latin, as appeareth by Basil and Ambrose. And of this oil, and ceremonies of milk and honey, saith Tertullian, *De cor: militis:—Lactis et mellis concordiam prægustamus,* and *Contra Marcionem* ‡ *:—Nec lactis et mellis societatem reprobavit qua suos infantur.* This oil, I say, and these ceremonies, must bring in the altar, according to that of Cyprian, *Epist: liber primus. Et unde baptizati unguem, olium altari sanctificatur. Sanctificare autem non potuit olium creaturam qui nec altare habuit.*§ And of imposition of hands with the

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* *De Corona Militis* cap. iv. "Harum si legem expostules scripturarum nullam invenies: traditio tibi prœtendetur autrix, consuetudo confirmatrix, et fides observatrix."

† *Epistolæ*, Liber 1., no. 12. Epis. LXX. of later editions. "Ungi quoque necesse est eum qui baptizatus sit . . . ut accepto chrismate, id est unctione, esse unctus Dei et habere in se Christi gratiam possit."

‡ *Adversus Marcionem, liber primus.* The whole passage runs:—"Sed ille quidem usque nunc nec aquam reprobavit creatoris qua suos abluit, nec oleum quo suos unguit, nec mellis et lactis societatem qua suos infantat, etiam in sacramentis propriis egens mendicitatibus creatoris."

§ "Porro autem Eucharistia et unde baptizati unguntur, oleum in altari sanctificatur. Sanctificare autem non potuit olei creaturam qui nec altare habuit nec ecclesiam."

signification thereof saith Cyprian, *Ad Jubeanum*, declaring the order of baptism *per nostram orationem et manuum impositionem spiritum sanctum insequimur.* *

Argument V. What is delivered by the Fathers in such manner, being brought in by the iniquity working in their times, is as corrupt as in the papists. But such is the sign of the cross, *ergo*—

Major is manifest.

Minor is proved, 1. "In that they ascribe to it the perfecting of baptism, as Cyprian *Ad Jub*[*aianum*] concludeth the whole act of baptism thus, *Et signaculo dominico consummentur*, meaning the cross. 2. In that they ascribe unto it the virtue of blessing and consecration in all sacraments, as Ciprian, *De bapt.* thus: *Cujus virtus omnia peragit sacramenta, sine quo signo nihil est sanctum neque aliqua consecratio meretur suum effectum*, and *ergo* from the proportion thereof, as from the four points thereof, the manifold graces thereby, saying *Hinc omnium sanctificationem exurgit sublimitas et profunditas et longe lateque plenitudo defunditur gratiarum.*" † 3. "It hath with them, as with the papists, place also in the sacraments (*sic*) of the Lord's Supper, and so it had with us till it was taken away in the 2nd Common book of Ed. VI." 4. In that it is prescribed by them to drive away spirits, as Jerome, *Ad Demet* ·, thus:—*Et crebro signaculo crucis signis frontem ne exterminatur Ægipti in te locum repereat.* ‡ 5. In that they prescribe it to be used in all civil actions of life, and not only in our foreheads, but in the creatures, as Chrisostom in I. *Tim.* iv., thus:—*frontem crucis signaculo terremus ad omnem progressum, ad vestitum, ad calceatum, ad lavacram.* §

Argument VI. "That which receiveth warrant from the signs and miracles in the air and signs from the dead is not to take place in the actions of Christian religion." But the Cross is such: *ergo*—

Major. This is evident by our Saviour's reproof to the Jews, leaving them "no sign in the heavens but the sign of the Son of Man appearing in the last day, which vainly the seminaries think to be the sign of the cross," and by Abraham's telling the rich man in hell that his brethren "should not look for one from the dead, but to receive the law and prophets for a sufficient testimony."

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* *Ad Jubaianum*:—"Per nostram orationem ac manus impositionem spiritum sanctum consequantur."

† *De baptismo Christi.* "Cujus virtus omnia peragit sacramenta sine quo signo nihil est sanctum neque aliqua consecratis meretur effectum. Hinc omnium sanctificationum exurgit sublimitas et profundum et longe lateque plenitudo diffunditur gratiarum."

‡ *Ad Demetriadem.* "Et crebro signaculo crucis munias frontem tuam, ne exter minator Ægypti te locum reperiat."

§ The quotation is from Tertullian, *De Corona Militis*:—"Ad omnem progressum atque promotum, ad omnem aditum et exitum, ad vestitum et calceatum, ad lavacra, ad mensas, ad lumina, ad cubilia, ad sedilia . . . frontem crucis signaculo terimus," but Chrysostom has a similar thought in his homily on I. *Tim.* iv. "Quod etiamsi communis est, medicamentum in promptu est, signum illi crucis imprime," &c.

Minor. This is evident by that which the papists and some before them have grounded upon the Greek Cross in the heavens, by the uncertain story of Eusebius, as also by "such devilish miracles as are delivered in *Vita Hilarionis*," the story of Julian Apostate, &c., in the ecclesiastical histories.

Argument VII. If we receive the cross from the Fathers we may receive all the rest and cannot condemn the papists for so doing.

Argument VIII. "The positions of the learned from the 2nd Com[mandment] against making of images, though not then adored, yet being such as have been afterwards and still are adored of idolaters, are of strength against the cross in baptism, &c."

Argument IX. The crosses in the highways, church windows, the foreheads and bosoms of pa[pists ?] have better warrant, yet are condemned.

Argument X. Wherever it has been "tolerable" [tolerated ?] it has been abused to gross and popish idolatry and superstition, both by the papists and others, especially in Lancashire and the northern parts. *Ergo* with the brazen serpent utterly to be abolished.

Major is evident from Paul's doc[trine ?] of offence, I. Cor. viii. 10, &c.

Minor is evident "In Lancashire and those northern parts, 1. in garnishing the dead with the cross. 2. By setting them down and praying at crosses in the highway, and leaving memorial crosses for them there. 3. Their giving of the right hand to all crosses. 4. By garnishing them with flowers and garlands on Corpus Christi day with much devotion. 5. Their wearing of palm crosses on Palm Sunday. 6, Thus (*sic*) signing themselves with the sign of the cross on the forehead at all prayers and blessings, and therefore they call it a blessing therewith to bless themselves when they first enter into the church, and in all their actions, even when they gape."

Objection. "If objection be made of Constantine his banner, princes' coin and the practice of Christians in the presence of the heathen to resist, the answer is that in all this it had but a civil use, and *ergo* not to be brought into the service of good and ecclesiastical rites; 2, that of the cross's temporary use amongst the heathen was to be left to them that needed it." 10 *pp.*

Notes by [Sir Edward Montagu ?].

1603[-4], March 19.—First Parliament Jac. I. "The first day (being Monday) 19 March, after the King was gone to church, the Lord High Steward, which was the Earl of Nottingham, came into the usual place in Westminster, and after he had called all

the knights, citizens, and burgesses, and sworn some to the supremacy, the rest went into the courts next the Parliament House, and there were sworn by certain of the House, appointed Commissioners by the Steward, and there most of them remained, expecting to be sent for into the Higher House.

The King's Majesty, after he was set and all the Lords placed, and the King demanding once or twice whether the Lower House was come, and answer being made they were, *though indeed the House was not there*, his Majesty, putting off his cap and crown and putting it on again, made a most excellent speech, shewing the causes of the calling the Parliament to be three :—

First, to shew his thankfulness for their general acceptation of him.

Secondly, the benefits received thereby, which were individual to his person, and these to be four: first, union of the two kingdoms; 2ndly, outward peace and traffic with all princes; 3rdly, inward peace at home by succession in his children; 4thly, religion.

Thirdly, the making and execution of laws: the making to be always at a Parliament, the execution always after, and that to stand upon sincerity and constant courage. He amplified all these, continuing his speech almost an hour, concluding, the eloquence of a King to stand on plainness and sincerity. After this the Lord Chancellor made a speech, not much differing from the course in former Parliaments, and willed the Lower House to choose a Speaker, and to present him to his Majesty on Thursday next. This done, all those that were in the Higher House, *whereof myself was one*, returning into the Lower, which was almost full, and staying till Mr. Vice Chamberlain and Sir John Herbert." [*Here the MS. abruptly terminates.*]—*Copy in more modern hand.* 1¼ *pp.*

Union of England and Scotland.

[1604], April 27.—"Objections against the change of the name or style of England and Scotland unto the name or style of Great Britain, to be moved and debated in the conference between the Lords and Commons, &c."—[*Printed in Commons' Journals, Vol.* I, *p.* 188.] 2 *pp.*

Thomas, Lord Burghley to [Sir Edward Montagu.]

1604, [June*] 3.—"I have received your letter by Skoller, my man, by the which, as by his particular report, I find your great neighbour, as you term him, hath played his part, and other his co-partners. If it lie in my power, I will requite it. I would be glad to know the view that was taken when you first entered into your office under me, of the deer in every particular walk, that a second view may be taken again when the time of the year shall serve, that I may lay open unto the King the truth

* The date is perhaps that of its receipt and is partly cut away, but appears to be "[Ju]nij iij."

and disprove their lying malice. I understand by Skoller that an underkeeper under your Uncle Montague hath played the knave. I would it could be found out, and the fellow might have some money given him to tell the truth, and I will allow it again. For he that is corrupted by one, may by gain be brought to say the truth again. I pray you give order that no fee bucks nor fee does be given to any this year, neither to my Lord Mordaunt for his fee as deputy justice, and I will answer it unto the King myself. As I take it, when I was in the North, complaint was made unto me when my old Lord Mordaunt died and the office of Loddyngton and Fermyng [Farming] woods became void, his son, my lord that now is, finding I had given the walk from him, his men before their going forth made great spoil of the game, for spite their Master had not the walks. Hereof I pray you make some enquiry, if any proof may be made of it, for sure I am such a thing was complained unto [me] of them, but by whom I know not.

Holograph. Seal of arms in garter. 1 *p.*

Notes on the First Parliament of James I., taken from Sir Edward Montagu's Journal.

1603[-4], March 23 to June 28.—"Friday, 23 [March], Sir Edward Montague (who at that time was knight of the shire with Sir Valentine Knightley for the county of Northampton) delivered several grievances, which were enjoined him (as he says in his journal*) by the country to make known to the House, viz.: First, the intolerable burden, vexation, travail and charge of the Commissaries' Courts, as now they are used. 2ndly, the suspension of grave, learned and sober-minded ministers, for not observing certain ceremonies, long since by many disused. 3rdly, the dispopulation and daily excessive conversion of tillage into pasture; which motion the House committed for the Monday next following.

This motion was introduced in the words following:—

† 'I know my own weakness in judgment and mine infirmities of speech, both which, as you may well perceive, makes me in fear to speak before this grave, wise and honorable presence. Yet had I rather submit myself to your wise censures and brave your patience than be silent in matters so straightly enjoined me by the country for which I serve.'

Then he mentioned them as above, and proceeded in this manner.

'The cry of the country (for so may I truly and rightly term it) called upon me and my fellow companion to make these things known unto you, and to beg your assistance for the relief of them. I hold myself well eased and unburdened of a great charge in that I have uttered them unto you, leave the consideration of them to your wisdoms, and I yield you most humble thanks for your vouchsafed patience.'

* *Margin.* "Folio 4." † *Margin.* "Folio 5."

*The next affair I find Sir Edward Montague employed in this session was as one of the members appointed by the House (whereof the whole number was but forty) to wait on the King in the Council Chamber, upon the great affair depending in this Parliament concerning the election of Sir Francis Goodwin† for Buckinghamshire, where the case was shortly this. A writ having issued, *teste* 30 January, they proceeded to an election 22 February,‡ on which Sir William Fleetwood and Sir Francis Goodwin were returned. On this return the sheriff certified that Sir Francis stood outlawed, and therefore was not qualified to serve. Whereupon a new writ issued, *teste* 16 March, on which they proceeded to a second election, in which Sir John Fortescue was returned. ‡ Complaint being made of this proceeding to the House by Sir William Fleetwood, the Clerk of the Crown was ordered to attend, who brought in the returns above and delivered them to the House. The House, upon debate, resolved that the first return was good, and that the sheriff had inserted more than he ought to have done, whereupon Sir Francis was sworn and admitted into the House.

A few days after this (viz., 26 March), at a conference between the Houses upon another affair, the Lord Cecil proposed to the managers of the House of Commons the affair of Sir Francis Goodwin's election,‡ and added that if they had authority, he would show them the reasons of their (the Lords') dislike. The Commons absolutely refused to confer with the Lords on that affair, and so it broke up.

28 March. § The Speaker of the House of Commons (Sir Edward Philips) waited on the King, and delivered the Commons' reasons for their proceedings in that affair.

29 March. § Mr. Speaker reported what was done in that affair before the King, and the King's message to the House, which was to this effect: First, that he should report the course that was taken, and the resolution of the Judges. 2ndly, that we should proceed to some resolution amongst ourselves. 3rd if we were not resolved, then to resort to the Judges. Lastly, if we were resolved, we should make repair to his Council, by whom we should know his Majesty's pleasure.

5 April. § The Speaker delivered a message from his Majesty to the House, the effect of which was that he did desire as a good King and command as a King,‖ the House to prepare that there might be a conference between the House and the Judges, before his Council, and appointed the House to choose a competent number of their members to meet that afternoon. Upon this, forty were appointed (whereof Sir Edward Montagu was one, who went immediately) to confer about the reasons before

* *Margin.* "Journal MSS., fol. 14." † *Margin.* "See Sir Ralph Winwood's Memorials, Vol. II., f. 18, 19." ‡ *Margin.* "MS. Journal, fol. 3, 4, 9." § *Margin.* "Journal, MSS. 9, 10, 13." ‖ "As an absolute King," Commons Journals, Vol I. p. 166.

presented. It was then moved (and upon debate carried), that his Majesty should be moved that he would be present himself at the conference. To this the King condescended, and after some debate on both sides a point was stirred by the Judges which had never been mentioned before, which was that the first writ was not well returned, and consequently that neither Sir Francis Goodwin nor Sir John Fortescue were well elected. Upon which his Majesty ordered that a new writ should go to choose (and that neither Goodwin nor Fortescue should be candidates*) another, and that the writ should be granted to go out of the Lower House; to which all assented. And (as Sir Edward remarks) his Majesty not only pardoned them that had spoken most and stoutest in this cause, but thought the best of them.

Note, upon this new writ, Christopher Pigot, esq., was returned, who was afterwards expelled the House. †

‡ In pursuance of Sir Edward Montague's motion concerning the grievance of the Commissaries' Courts, on Monday, 16th April, the Speaker delivered a message from his Majesty to the House, the purport of which was, That he understood that there were divers griefs complained of touching Commissaries' Courts, and that the House dealt in matters of discipline, and therefore wished there might be a conference between the Commons and the Bishops, to which the House assented.

17 April. ‡ Mr. Speaker renewed his motion about conference with the Bishops, as he was directed by message from his Majesty, which was delivered by the Bishop of London (Bancroft) to him, and it was then propounded that the conference should be with the Convocation, which the House utterly refused to consent to.

The next day the Speaker informed the House that his Majesty's intention in commanding a conference with the Convocation was not to bring in new precedents, or to abridge the liberties of the House, and therefore he liked well that the House should confer with the Bishops of the Lords of Parliament.

‡ The next day the Lords agreed that the Commons should have a conference with the Bishops. The Lords appointed thirty and the Commons sixty.

‡ On Monday, 4th June, the Lords and Commons had a conference about matters of religion, at which the Lords refused to join in a petition. And the Bishop of London read a letter or writing from the Convocation inhibiting the Bishops to confer with the House of Commons, for that the laity had no authority to meddle in those matters now the King had granted to them letters patents, protesting that if they did proceed they would appeal to the King.

‡ On Friday, 8th June, Sir Francis Hastings reported to the House what had passed at the conference about religion, and shewed the parts of the prohibition which the Bishop of London had read.

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* *Margin.* "See Cecyl's letter to Sir R. Winwood, Vol. II. f. 19." † *Margin.* "Notitia Parl., Vol. I., p. 79." ‡ *Margin.* "Journal MSS. fol. 15, 18, 19, 30, 32."

*The House took it in ill part, and chose a Committee to draw a petition for toleration of ceremonies, which petition was presented to the House the 13th of June, and twice read, and ordered to be presented to his Majesty.

*What further appears from the journal relating to this affair is only this, that 28 June, the Lords sent another message to the Commons, to desire a conference about several matters, and *inter alia* of the matter of the Convocation, to which the Commons assented. But the Parliament being prorogued the 7th of July following, I conceive nothing considerable was done in that affair." [*This paper must have been written after the publication of Winwood's Memorials in 1725.*] 4 *pp.*

Union of England and Scotland.

[1604, Dec. 6.]—Articles of Union drawn up by the Commissioners of England and Scotland, to be proposed to the Parliaments of both realms. With preface, Acts for authorising the Commissioners, their names, powers, &c. *15 sheets.* [*There is a copy of this amongst the State Papers at the Public Record Office. See S. P. Dom. James I. vol. X*.*]

Sir Edward Montagu.

1604 [–5], February 18. London.—Statement concerning the delivery of the petition against the suspension of the nonconforming ministers in Northamptonshire and the subsequent apology of the presenters. The first part is wanting.

"[We should] have delivered it in that night but that the Council was risen before we came.

On Sunday, 17th February, we attended and delivered in that new one, which was scanned and well-liked, with some additions which the Lords put in, and Mr. Attorney being there, he put in the words the Lords wished to be inserted. But I desired to confer before I gave consent, and so we conferred at the Lord Chamberlain's chamber, and there, with some words added to those of Mr. Attorney, we agreed, and caused it to be written fair, set to our hands, and delivered it to the Lords at their up-rising, who showed it to his Majesty.

That afternoon, being called before them, they told us of his Majesty's dislike and that the petition was not full to the point, and so delivered to us the petition again, to frame anew. I desired their Lordships that if we could not agree in one, that every man might give in his own submission, which they liked well of. When we were come from the Lords that submission was defaced, and I resolved not to yield any more to the like in writing.

* *Margin.* "Journal MSS. f. 32, 33, 36."

The next morning we attended the Lords again, where I submitted myself to his Majesty's mercy, and their Lordships' good pleasure. The rest did the like. Then the Lords asked if we would not do as much as we had done yesterday. I denied it for my part, some or most of the rest yielding, yet at the length, by the persuasion of my companions, and because I would not be singular, and could not tell how it might be taken, I yielded likewise to that. Then the Lords asked for it, but we told them it was defaced, but Sir William Lane had a copy fair wherein certain words were added, which he acquainted us withal, and then the Lords demanded of us if we would subscribe to that, which I refused. Sir Richard and Sir William subscribed. Sir Valentine had respite given him till Sunday following.

Then I was censured to be put out of all commissions for his Majesty's service and to depart into the country, but I making known to their Lordships my wife's weak estate, they gave me leave to tarry in town.

Sir Valentine at the time refusing to subscribe was censured as I was. [*In Sir Edward's own writing and signed.*] 1 *p.*

ELYZABETH, LADY MOUNTAGU to her son, SIR EDWARD MOUNTAGUE, at his house in Little Britain, London.

1605, July 3. Hemmington.—By reason of company and other occasions I have not had convenient leisure to write to you before. "It seems now, by your letter, that both by speech and writing you have submitted yourself to the King his command, and I trust in so good respect that neither the King nor the Council shall have any further cause of exception against you, if reason may give them content. I perceive also by you, which I partly heard of before, that there is some coals kindling against your brother Dean,* but I trust in God, when he shall appear before his Majesty, he will so clear himself that the sparks will light upon his accuser's face, and the shame redound upon himself, who, as I am persuaded, to give colour to his own matter, doth wrongfully accuse others, as by further trial I trust will appear. If your brother Doctor did return at that time of your expectation, he can satisfy you that your brother Charles went with him but to Worcester and returned back upon Tuesday was sevennight. Now for my vicarage. I did defer the time of my presentation so long as I could (in respect of the poor man) wanting now but one month since the intimation, and in all the favour that I might I sent Mr. Brigers to the Bishop, to see whether he would, out of his own voluntary compassion, yield him any favour. And the Bishop, partly in respect of his poor estate, and partly (as I take it) in respect of me, did freely send unto me by him, the time of his presentation after mine, under his own hand [and] seal, by God his good providence. And I trust by that time be expired, things will fall out better or worse, so

* *i.e.* Dr. James Montagu, Dean of the Chapel Royal.

that I shall take further order therein, and if you please to come down into the country, you need not to be at any charge for housekeeping, for with me you shall have both feeding and lodging and welcome."—I pray God to bless you and yours. 1 *p.*

Sir Edward Montagu.

[1605], July 15. Further statement concerning his submission to the King. "This continued till Sunday, the 9th of June, 1605, at which time by my brother Dean his means I was brought to his Majesty's presence in his withdrawing chamber, about eight of the clock at night, where kneeling down and showing to his Majesty that I had lived as a dead man ever since I was in his displeasure, and therefore besought him to pass by wherein I had offended him, and to be pleased to receive me into his favour again, his Majesty told me it was long of myself, and he took it more unkindly at my hands than of any of the rest, because he loved and had honoured my house by gracing me, and making one brother Recorder, and another Dean of his Chapel. And so fell into discourse of his profession of religion and against the papists, saying that he had rather die than they should increase in his days, and for the ceremonies we should rely on him. He remembered all things that I had said to the Council, and after he had used many holy and gracious speeches to me, he willed me to write to him for his further satisfaction, and at his going away he, upon my brother's request, gave me his hand, and to my remembrance said to me that he never wished me ill in his life.

On Friday, the 14th June, according to his Majesty's command, I wrote unto him, and my brother sent me word that the King liked my letter pretty well, saving there was one thing somewhat doubtful, which, upon my brother's speech, he seemed to be satisfied in.

On Monday, the 16th [17th] June, my brother Dean supped with me and told me that yesterday Sir Ro. Ashton told him that the King liked my letter well, and his Majesty willed him to bring it him in the afternoon.

Then he showed me a letter from the Earl of Sarum, in these words:—'Mr. Deane, I should have some speech with you concerning your brother, whose letter his Majesty have given to my Lords.' The rest of the letter was but where my brother should have [*sic*] him.*

The next morning, being Tuesday, the 17th [18th] June, though my brother went that day towards Worcester, yet he went to my Lord of Sarum, with whom he had private speech concerning me and my letter. Since which time I have heard nothing, being the 15 July. Edward Mountagu. 1¼ *p.*

* Compare the Dean's letters in the Report on the Buccleuch MSS., p. 237.

JAMES MOUNTAGU [Dean of the Chapel Royal] to his brother, SIR EDWARD MOUNTAGUE, K.B.

1605, July 21. The Court.—"I have now given his Majesty a full account of my travail at London, and what the Lords have said to me. I told the King that my lord of Salisbury was fully satisfied, and had written a letter to his Majesty in my behalf. Before I had said this, my lord of Salisbury came in to the King himself, and after supper had great and long speech with him, but all for my good, as I perceived after by the King. The next morning I delivered my letter, and had a very good time, and the King seemed to be well pleased, and said he should think me the more honest man hereafter. Presently I begged a good living for Mr. Richard Murray, and the King gave it him, whereupon I gather that the King is not much offended with me. I find a kind of disposition in the King to have me confronted with [Lewis] Pickering. I will not desire it, neither will I shun it, but I think it would do me no harm, though it be not good to stir when one is quiet. This day, if the Lords say nothing, I will think all is passed. I have sent you a copy of my lord of Salisbury's letter. I will deliver the original to himself again." Many thanks for your kindness in this business. 1 *p.*

EARL OF SALISBURY to THE KING.

[1605, July 21.]—"May it please your Majesty. This bearer, your Dean of your Majesty's chapel, hath told me that your Majesty hath given him gracious hearing, which is no news to me to be done to him, that see it every day in others. For the men that accuse him for anything to be spoken to themselves, Gilby only hath been heard, whose charge comes so near his own ingenious declaration of words uttered only by way of supposition (which, so spoken, are so free from blame) as I must presume to tell your Majesty, in my poor judgment, that your Majesty's former prejudice against belief of any so great fraud or ingratitude in his disposition, joined to their dry* accusation ought to resolve you rather to remain satisfied towards your servant than to please the pack of carping spirits by making him the subject of further discourse. Thus much I am bold to deliver your Majesty of my poor opinion, because the Dean desires me to write somewhat to your Majesty, and as I am bold to speak thereof to you, so could I not have done my duty to conceal from him how constant and how judicial a master he serveth, of which mine own heart is best witness in his absence, and I must truly say that I think malice the author and humour the piecing it up in another sense than he meant anything so uttered. All which I leave to your Majesty's gracious favour. *Copy by Sir Edw. Montagu on the back of Dean Montagu's letter.* 1 *p.*

* "crafty, subtle"—*Halliwell.*

Sir Anthony Mildmay to Sir Edward Montagewe.

1605, September 9th. Southay Lodge.—Stating that he encloses letters received from Mr. Richard Cecil, which Sir Edward is to send on to the "next joined in the commission." *Seal of arms.* ½ *p.*

Sir Edward Montague to Sir Anthony Mildmay.

1605, September 9th. Boughton.—Acknowledging receipt of the letters from the Earl of Exeter, which he has sent on to his cousin Watson, and saying that if Mr. Cecil is in the country, it would be well to appoint a time when he and the other Commissioners could have a meeting. [*Draft, written on Mildmay's letter.*] ½ *p.*

Sir Edward Montague to [Sir Edward Watson].

1605, September 10th. Boughton.—I enclose a letter received last night from Sir Anthony Mildmay, and have written to him that it were good if he and Mr. Cecil would appoint a time and place for us to meet. "You lie not far from them, and therefore it were good you sent to know their mind, for the day prefixed by my Lord of Exeter will soon be here, and the country has need of some warning for this service." [*Draft upon the same paper.*] ½ *p.*

Thanksgiving after Gunpowder Plot.

[1605.]—Draft, with corrections, in Sir Edward Montagu's hand, of the "Act for a public Thanksgiving" on the 5th of November, for the deliverance of the King &c. from the Powder Plot. 2 *sheets.*

With note, in a later hand, "In the year 1605, on the discovery of the Powder plot, Sir Edward Montague drew the Act for a public thanksgiving for the discovery of the same, as appears by several drafts of that Act in his own hand."

Petition of [Sir Edward Montague?] to the King.

1606, May 13.—Your Majesty having been pleased, "upon the humble petition of your subject* in a cause depending for the title of Serjeants Inn in Fleet Street, wherein all your Majesty's judges of that house are interested," to order the Lord Chancellor and Lord Treasurer to call the judges and other persons concerned and either determine the variances (if they could) or certify the state of the controversy, the Lord Chancellor and Lord Treasurer heard the cause accordingly, when the Attorney-General "intituled your Majesty unto the tenements in question,

* Perhaps the petition alluded to by Dean Montagu in his letter, printed in the Report on the Buccleuch Papers, p. 237.

yet the Lords moved that some such friendly conference might be had amongst all parties as that your Majesty might have something in respect of your title, the Judges' possession might be maintained in their house, the Church of York have that which is fit, and your subject might have part of his possession [and] inheritance in some of the tenements in question." But the other parties refusing this motion, and the matter still depending, your subject was prosecuted at common law, whereon the Lord Chancellor granted an injunction in Chancery to stay proceedings, in spite of which the cause has so far been proceeded with at common law that your subject has been dispossesssed of some part of the tenements and is still being prosecuted against him, wherefore he prays your Majesty to stay proceedings until the Lord Chancellor and Lord Treasurer shall have determined the cause or certified the state of the same.

With reference to the Lord Chancellor [Ellesmere] and Lord Treasurer [Dorset], signed by Roger Wilbraham. 1 *p.**

Union of England and Scotland.

[1606 ?]—"The Divine providence in the mystical and real union of England and Scotland, both by nature and other coherences, with motives for reconciling such differences as may now seem to hinder the same"—treated under four heads, viz.: Ecclesiastical regiment, Temporal government, Princely prerogatives, and Community of privileges. 3 *pp.*

Sir Edwin Sandes.

1607, April 28.—Notes in Sir Edward Montagu's hand, of Sir Edwin's speech of this date upon the Union. 3 *pp.*

Thomas, Earl of Exeter to Sir Edward Mountague.

1607, September 9th. Burghley.—"I pray you let this commission I send you for the enclosures be sent forthwith to Sir William Tate, and require him from me that the same be delivered to Sir Richard Chettwoode, whereby he may take knowledge of the day of sitting at Northampton, the 14th of this present month, which is upon Monday next, and to return with him the commission, which is to be set up that day." ½ *p.*

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*MS. note. "The Montagu family had a claim on Serjeants' Inn, Fleet Street, which was opposed by the Judges, Serjeants, &c. It does not appear how it was determined."

Offices and Fees.*

[1607?]—"A true collection as well of all the King's Majestie's offices and fees in any the Courts at Westminster as of all the offices and fees of his Majestie's honorable howshould, together with all fees pertaineinge to captaines and souldiers haveinge charge of castles, bullwarks, and fortresses within the Realme of England, and likewiese the offices and fees of highnes' honorable howses, parks, forrests, and chases within the said realme.

The placeinge of Estates and degrees of Nobillity in England:

Dukes.
Marquises.
The eldest sonnes of Dukes.
Earles.
The eldest sonnes of Marquises.
Viscounts.
The eldest sonnes of Earles.
The younger sonnes of Dukes.
The younger sonnes of Marquises.
Barrones.
The eldest sonnes of Viscounts.
The eldest sonnes of Barrones.
The younger sonnes of Earles.
Knights Banneretts.
The younger sons of Viscounts.
The younger sonnes of Barrones.
Batchelor Knights.
Esquires of the Bodie.
The eldest sonnes of Knights Banneretts.
The eldest sonnes of Batchelor Knights.
Esquires.
Gentlemen.

The Nobillity of Englande accordinge to their authorites and degrees:—

Paulett, Marquis of Winchester.

Earles:

1. Hawarde, Earl of Arundell and Surrey.
2. Veare, Earle of Oxford, Viscounte Bulbecke.
3. Pearcy, Earle of Northumberland.
4. Talbott, Earle of Shrowsburie.

* This paper must have been drawn up between July 1607, and April 1608, as the list of nobility includes Lord Knevitt (cr. July 1607), and Lord Treasurer Dorset (*ob.* April 19, 1608). It apparently follows the lines of the great list of Elizabeth's reign (printed in Peck's *Desiderata Curiosa*, Vol. I., liber 2, and also in the *Collection of Ordinances . . . for the Royal Household*, published by the Society of Antiquaries), but differs in many respects, being less full as regards some subjects, but supplying items which are lacking in the earlier list as regards others. Both lists are evidently more or less inaccurate, and to a certain extent correct each other.

5. Graie, Earle of Kent, Barron Hastings and Ruthen.
6. Stanley, Earle of Darbie, Lord of Man and Strange.
7. Somerset, Earle of Worcester, Lord Harbert of Chepstowe.
8. Manners, Earle of Rutland, Barron of Rosse [Roos].
9. Clifford, Earle of Cumberland.
10. Ratcliffe, Earle of Sussex, Lord Fitzwater.
11. Hastings, Earle of Huntington.
12. Burcher, Earle of Bathe.

*Dudley Sutton, Earle of Warwicke, Viscount Lisle.

13. Wriothsley, Earle of Southamton.
14. Russell, Earle of Bedfford.
15. Harbert, Earle of Pembrooke.
16. Seymer, Earle of Hartfford, Lord Bewchampe.

*Sutton, Earle of Leicester, Barron of Denbie.

17. Devorux, Earle of Essex, Viscount Hereford.
18. Fynes, Earle of Lincolne, Lord Clinton.
19. Haward, Earle of Nottingham, Lord Admiral.
20. Haward, Earle of Suffolke, Lord Chamberlain.
22. Sackvill, Earl of Dorset, Lord Treasurer.

*Blunt, Earle of Devonshire, Lord Mountjoy.

21. Haward, Earle of Northamton.
23. Cicill, Earl of Salesburie.
24. Cicill, Earle of Exceter, Lord Burley.
25. Harbert, Earl of Mountgomerie.

Viscounts:

Browne, Viscount Mountague.
Haward, Viscount Bindon.
Sidney, Viscount Lisle.

Barrones:

†Nevill, Lord of Aburganie.
†Touchett, Lord Audeley.
†Souch, Lord Souch.
†Bartie, Lord Willowghbie of Erisbie.
†West, Lord Delaware.
†Barkley, Lord Barkley.
†Parker, Lord Morley.
‡†Fenes, Lord Dacres of the South.
Brooke, Lord Cobham.
Talbott, Lord Talbott.
†Stafford, Lord Stafford.
§Graie, Lord Graie of Wilton.
†Scroope, Lord Scroope.
†Sutton, Lord Dudley.
Nevell, Lord Latimer.

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* Underlined, by way of deletion, these three Earls being dead.

† The barons' names marked thus (†) are ticked in the MS. The others are titles which had lapsed through death or been merged in higher ones.

‡ Margaret Fiennes (sister of Gregory, the last lord, and wife of Sampson Lennard), who in 1604, made good her claim to "enjoy the name, degree and precedence of the Barons Dacre in as full and ample manner as any of her ancestors."

§ Attained in 1604.

*Stourton, Lord Stourton.
*Lumbley, Lord Lumbley.
Harbert, Lord Harbert.
Blunt, Lord Montjoy.
Ogell, Lord Ogell.
*Darcie, Lord Darcie of Nevell.
Stanley, Lord Mounteagle.
*Sands, Lord Sands.
*Vaux, Lord Vaux.
*Windsor, Lord Windsor.
*Wentworth, Lord Wentworth.
Burrowe, Lord Burrowe.
*Mordant, Lord Mordant.
Paulett, Lord St. John of Baseinge.
Russell, Lord Russell.
*Cromwell, Lord Cromwell.
*Evers [Evre or Eure], Lord Evers of the North.
*Wharton, Lord Wharton.
*Willowghbie, Lord Willowghbie of Parham.
*Sheffeild, Lord Sheffeild.
*Pagett, Lord Pagett.
*Darcie, Lord Darcie of Chich.
Haward, Lord Effingham.
*North, Lord North.
*Bridges, Lord Shandois.
*Carey, Lord Hunston.
*St. John, Lord St. John of Bletcsoe.
Sackvill, Lord Buckhurst.
Cicill, Lord Burley.
*Compton, Lord Compton.
Cheney, Lord Cheney.
*Norris, Lord Norris de Riccott.
*Riche, Lord Riche.
*Knowles, Lord Knowles.
*Wotton, Lord Wotton.
*Egerton, Lord Elmsmere.
*Danvers, Lord Danvers.
*Carew, Lord Carew.
*Harrington, Lord Harrington.
*Spencer, Lord Spencer.
*Jarratt [Gerard], Lord Jarratt.
*Russell, Lord Russell.
Peter, Lord Peter.
*Denney, Lord Denney.
*Fynes, Lord Sàie.
*Candish [Cavendish], Lord Candish.
*Graie, Lord Graie.
*Stannop, Lord Stannop.
*Knevitt, Lord Knevitt.
*Arundell [Lord Arundell of Wardour].

* The names with asterisks are ticked in the MS. See note (†) on previous page.

Officers of the Courte of Revenues:

Lord Treasurer of England -	fee, 365*l.*, livery 15*l.*
Master of the roobes of state -	fee, 7*s.* 8*d.* *per diem.*
Cheiffe Barron of the Exchecquer	fee, 100*l.*, livery 12*l.* 17*s.* 4*d.*, allowance for beinge justice of assize 20*l.*
Barrones of the Exchecquer -	fee, 40*l.* 13*s.* 4*d.* apece, livery 12*l.* 17*s.* 4*d.* apece.
Chauncellor of the Exchecquer	fee, 40 marks, livery 12*l.* 17*s.* 4*d.*

Officers of the Exchecquer:

The King's Remembrancer -	fee, 55*l.* 17. 4., livery 40*l.* [*sic*] 13*s.* 4*d.*
The Treasurer's Remembrancer	fee, 64*l.* 2*s.* 4*d.*, livery 53*s.* 4*d.*
*Clarke of the pype - -	fee, 15*l.* 2*d.*
Auditors - - - -	fee, 10*l.* apece.
Forren apposer - - -	fee, 16*l.* 13*s.* 4*d.*
Clarke of the extents - -	fee, 15*l.*
Clarks of the pleas - - -	fee, 100*s.* apece.
Two marshalls - - -	fee, 50*s.* apece.
Clarke of the somons - -	fee, 4*l.*
Secundaries in the office of the King's Remembrancer - -	fee, 4*l.* apece.
Secundaries in the Pype - -	fee, 5*l.* apece.
In the office of the Pype for †affereinge of amerciaments -	fee, 9*l.* 13*s.* 4*d.*
In the office of the King's Remembrancer for writeinge the fynes, issues and amerciaments due to the Kinge every other year - - - - -	fee, 15*l* 6*s.* 8*d.*
In the office of the Treasurer's Remembrancer for afereinge of amerciaments - - -	fee, 22*l.* 10*s.*
In the office of the pleas for affereinge amerciaments -	fee, 60*l.*
Chamberlains - - - -	fee, 3*l.* apece, livery 8*l.* 6*s.* 8*d.* apece.
Under Treasurer of England -	fee, 173*l.* 6*s.* 8*d.*, livery 4*l.* 6*s.* 8*d.*
Clarke of the tales (tallies) -	fee, 41*l.* 6*s.* 8*d.*
Clarke of the peale (pells) -	fee, 17*l.* 0*s.* 10*d.*
Officers of the recipe tales -	fee, 60*l.* apece.
Joyners of the tales - -	fee, 20*l.* apece.
Two deputies chamberlains to write the enrolments of the peale - - - - - -	fee, 30*l.* apece.
One clarke to write the tailes of Court rolement - - -	fee, 9*l.*

* Perhaps a mistake for Comptroller, whose fee in the Q. Eliz. list is the same; the Clerk of the Pipe having 65*l.* 4*s.* 2*d.*

† Affeere, to set a fine.

Messingers - - - -	fee, 7½*d.* *per diem* apece.
Writers of the great declarations of revenues of this Court	fee, 30*l.* apece.
Searcher - - - -	fee, 26*l.*
Waitors - - - -	fee, 8*l.* apece.

The Courte of Wardes and Liveries.

The Earle of Salesburie, master of the Wards - - -	fee, 200*l.*, diett 200 marks.
Receaver generall - - -	fee, 100 marks.
Attourney - - - -	fee, 40*l.*, diett 50*l.*
Survaior of the Liveries - -	fee, 100*l.*
Auditors - - - -	fee, 26*l.* 13*s.* 4*d.* apece, diett 50*l.* 10*s.* 0*d.* apece. Increase of the fee in consideration of Liveries 20*l.*, other allowances and expences in rideinge 46*l.* 10*s.* 4*d.*
Clarke of the Wards - - -	fee, 10*l.*, diett 6*l.* 13*s.* 4*d.*, allowances 66*s.* 8*d.*
Clarke of the Liveryes - -	Noe fee nor allowance of the Kinge.
Messingers - - - -	fees, 6*l.*, diett 66*s.* 8*d.*
Usher - - - - -	fee, 100*s.*, diett 20*s.* 6*d.*

Assistants to the Court.

The King's Attourney - -	fee, 10*l.*
Sollicitor generall - - -	fee, 10*l.*

Feodaries:

In every shire one, at the appointement of the Master of the Wards - - - -	fee, 9*l.* apece, livery 20*s.* apece.

Allowances for charges amongst them at 16*l.*

Totalis—Sum of the fees and allowances to the officers of the Wards and Liveryes, 973*l.* 2*s.* 4*d.* (*sic.*)

Officers and ministers of Justice:

The Lord Elmsmere, Lord Chauncellor of England -	fee, 23*s.* *per diem;* for his attendance in the Star Chamber 200*l.*; by the name of anuity, 300*l.*; roobes, 41*l.*; wyne, 2 [? 12] at 6*l.* a tun, more paid, 72*l.*
Master of the Rooles - -	fee, 34*l.* 18*s.* 4*d.*; livery, 8*l.*; more paid out of the Butlerage 145*l.*

Clarke of the hamper [hanaper]	fee, 43*l.* 6*s.* 10½*d.*; anuity to the same office, 40*l.*; livery to the clarke 53*s.* 4*d.*
Comptroller of the hamper -	fee, 10*l.*
Clarke of the Count* - -	fee, 40*l.*
Inroler of evidences - -	fee, 20*l.*
Prothonotarie - - -	fee, 33*l.* 6*s.* 8*d.*
Sealer - - - - -	fee, 6*l.* 16*s.* 10½*d.*
Chaffer of wax - - -	fee, 34*s.* 8*d.*
Sarjant at armes - - -	fee, 12*d.* *per diem.*
Crier - - - - -	fee, 6*l.* 16*s.* 10*d.*
Necessarie expences of paper,	parchment and other yearelie charges, 40*l.*
Lord Previe Seale - - -	fee, 20*s.* *per diem*, and his table furnished with two measse of meate.
Lord Cheiffe Justice of England	fee, rewards and roobes, 228*l.* 6*s.* 8*d.*; allowance for beinge justice of assize, 20*l.* *per annum*
Clarke of the Crowne - -	fee, 10*l.*; allowances, 68*l.* 16*s.*
Prothonotarie - - -	noe fee nor allowance of the Kinge.
Cheiffe justice of the common pleas - - - - -	fee, rewards and roobes, 142*l.*; wyne 2 tun at 4*l.* a tun; allowance for being justice of assize 20*l.*; for keepeinge the assize of augmentacion, 12*l.* 16*s.* 8*d.*
Justices - - - - -	fee, rewards and roobes, 178*l.* 6*s.* 8*d.*; allowance for beinge justice of assize, 20*l.*
Keeper of the writts and rooles in the common pleas - -	fee, 4*d.* *per diem.*
Serjants of the lawe - -	fee, rewards and roobes, 20*l.* 6*s.* 8*d.*, allowance for beinge justice of assize, 20*l.* *per annum*; for keepeinge the assize of augmentacion court 12*l.* 16*s.* 8*d.*
Attourney generall - -	fee, 61*l.*; allowance for beinge justice of assize, 20*l.* *per annum.*
Sollicitor generall - - -	fee, 51*l.*

The Councell in the North.

Lorde President - - -	Diett for himself and the rest of the Councell; fee, 100*l.*
Councellors - - - -	fee, 40*l.* apece.
Secreatorie - - - -	fee, 33*l.* 6*s.* 8*d.*
Messinger - - - -	fee, 6*l.* 13*s.* 4*d.*
Forren expences allowed yerelie amongst the officers and Councellors aforesaid, 100*l.*	

* "Crown," in Queen Elizabeth's list.

The Principallity of South Wales.

Chamberlain - - - - -	fee, 20*l.*
Justice - - - - - -	fee, 40*l.*; expences 30*l.*

The Principallity of North Wales:

Chauncellor - - - - -	fee, 20*l.*
Attourney - - - - -	fee, 66*s.* 8*d.*
Comptroller - - - - -	fee, 12*l.* 13*s.* 4*d.*
Justices - - - - - -	fee, 4 marks apece.

The Countie pallatyne of Lancaster:

Clarke of the Crowne - -	fee, 40*s.*,* diett, 4*s. per diem.*
Clarke of the Commen pleas -	fee, 40*s.*, costs, *ut ante.*
Clarke of the extents† - -	fee, 40*s.* apece.
Barrones of the Exchecquer -	fee, 100*s.* apece.
Attournies, 2 - - - - -	fee, 40*s.* apece.
Crier - - - - - -	fee 40*s.*
Messinger - - - - -	fee 40*s.*

The County pallatyne of Chester:

Generall Attournies 2 - -	fee, 66*s.* 3*d.* apece.
Exchetor - - - -	fee, 10*l.* 10*s.*
Crier and Usher - - -	fee, 43*s.* 8*d.*
Baily errant - - - -	fee 4*l.* 10*s.* 4*d.*
Messinger for delivery of process - - - - -	fee, 4*l.*

Justices of Oyer and Determiner:

From Trent southward - -	fee, 100*l.*
From Trent northward - -	fee, 100*l.*
The two Masters of Requests‡ have - - - - - -	fee, 100*l.* apece, and diett in the court.

Officers in Courte.

Principall Secreatories, 2 -	fee, 100*l.* apece, and their table furnished with two mease of meat.
Secreatories in the Lattin tonge, 2 - - - - -	fee, 40 marks apece.
Secreatories in the French tonge, 2 - - - - -	fee, 66*l.* 13*s.* 4*d.* apece.

* In this and the two following entries, *s* is apparently a mistake for *l*; 40*l.* being the amount in Queen Elizabeth's list. If the same mistake is made as regards the Barons of Exchequer, their fees were much increased, being only 40*l.* in the earlier list.

† "Estreats," Queen Elizabeth's list.

‡ "Enquests," *Ibid.*

Clarke of the Signett - -	Noe fee nor allowance of the Kinge.
Clarke of the Councell in the Starchamber - - - -	fee, 26*l.* 13*s.* 4*d.*
Clarke of the parlament - -	fee, 20*l.*
Clarks of the Previe Councellors	fee, 40*l.* apece, and diett with the principall secretaries.
Master of the Posts - -	fee, 40*l.*; and diett *ut ante*.
Standinge posts appointed by the said Master - - -	fee, 12*d.* *per diem*.
Cariers - - - - - -	fee, 24*l.* 3*s.* 4*d.*

The Admiralty.

Lorde Admirall - - -	fee, 200 marks; diett, 200*l.*
Vice Admirall - - - -	fee, 20*s.* *per diem*.
Master of the ordinance of the sea - - - - - -	fee, 100 marks; three clarks at 2*s.* 4*d.* *per diem*; bot hier 8*l.*; rideinge costs at 6*s.* 8*d.* *per diem*.
Master of the ordinance of the Tower - - - -	fee, 150*l.* 11*s.* 8*d.*
Leiftenant - - - -	fee, 100*l.*; two clarks at 12*d.* *per diem* apece, bot hier 10*l.*, rideinge costs at 6*s.* 8*d.* *per diem*.
Treasurer - - - -	fee, 100 marks; two clarks at 8*d.* *per diem* apece; bot hier 8*l.*, rideinge costs at 6*s.* 8*d.* *per diem*.
Comptroller - - - -	fee, 50*l.*; two clarks at 8*d.* *per diem* apece; bot hier 8*l.*; rideinge costs at 4*s.* *per diem*.
Survaior - - - -	fee, 40*l.*; two clarks at 8*d.* *per diem* apece; bot hier 8*l.*; rideinge costs at 4*s.* *per diem*.
Clarke of the Shipps - -	fee, 32*l.* 13*s.* 4*d.*; bot hier 6*l.*; rideinge costs at 3*s.* 4*d.* *per diem*.
Clarke of the storehowse at Dettford strand - - -	fee, 32*l.* 13*s.* 4*d.*; one clarke at 12*d.* *per diem*.
Victualler of the Navie - -	fee, 58*l.*; one clark at 6*d.* *per diem*; rideinge costs at 5*s.* *per diem*.
Survaior [of the Ordnance?] -	fee, 36*l.* 10*s.* and the rome of a gunner, 12*d.* *per diem*.
Clarke - - - - - -	fee, 12*l.* 13*s.* 4*d.* and the rome of a gunner, fee, 12*d.* *per diem*.
Master gunner - - -	fee, 12*d.* *per diem*.
Gunstone maker - - -	fee, 12*d.* *per diem*.

Saltpeter maker	fee, 6*d.* *per diem.*
Gunfounders	fee, 8*d.* *per diem* apece.
Gunsmith	fee, 6*d.* *per diem.*
Gunner or artificer	fee, 4*d.* *per diem.*
Master carpenter	fee, 8*d.* *per diem.*
Gunners, 109	15 at 12*d.* *per diem* apece. 12 at 8*d.* *per diem* apece. 80 at 6*d.* *per diem* apece. 2 at 4*d.* *per diem* apece.

The Armery.

The Master	fee to the office, 30*l.* 14*s.* 6*d.*; for keepeinge the Armery in the greate gallery at Grenwich 66*l.* 13*s.* 4*d.*; and the rent of certain gardens upon the Tower hill of London, at 26*l.* 13*s.* 4*d.* *per annum.*
Armorers, 17	fee, 15*l.* 14*s.* 10*d.* apece; liveryes to the same armorers and one lockesmith, at 32*s.* apece.

Other Officers.

Locksmith	fee, 15*l.* 12*s.*
Laborer	fee, 10*l.*
Gilder*	fee, 43*s.* 6*d.*
Bridinger*	fee, 10*l.*

Officers at Armes.

Segar [William] principall Kinge	fee, 40*s.*
Clarentius [Clarencieux] at armes	fee, 30*l.*
Norrie	fee, 20*l.*
Pursevants at armes	fee, 10*l.* apece.
Sarjants at armes	fee, 12*d.* *per diem* apece.
Banner berer	fee, 40*l.*
Standard berer	fee, 100*l.*

The Minte.

Treasorer	fee, 100*l.*
Comptroller	fee, 100 marks.
Asaie Master	fee, 100 marks.
Auditor	fee, 44*l.*; allowance for paper, parchment and other necessaries, 10*l.*
Teller of moneis	fee, 33*l.* 6*s.* 8*d.*

* "Girdler" and "Brigander," in Q. Eliz. list.

Survaior of the meltinge howse	fee, 26*l.* 13*s.* 4*d.*
Clarke of irons - - -	fee, 20 marks.
Clarke of the mint - -	fee, 10*l.*
Cheiffe giver [graver?] - -	fee, 30*l.*
Cheiffe fyner - - - -	fee, 20*l.*
Melters - - - - -	fee, 20 marks apece.
Sincker of irons - - -	fee, 10*l.*
Braunchers - - - -	fee, 20 marks apece.
Purvaior - - - -	fee, 10*l.*
Porter - - - - -	fee, 10*l.*
Pott maker - - - -	fee, 10*l.*

Diett to all the said officers 30*s.* a weeke.

The Works.

Survaior - - - -	fee, 20*d.* *per diem;* bot hier 20*d.* *per diem;* one clark at 6*d.* *per diem;* rideinge costs and other expences at 4*s.* *per diem.*
Comptroller - - - -	fee, 18*l.* 5*s.*; one clerk at 6*d.* *per diem;* diett and rideinge costs at 2*s.* *per diem.*
Clarke of the engrosment of the paie booke - - - -	fee, 18*l.* 5*s.*
Purvaior - - - -	fee, 18*l.* 5*s.*
Keeper of the storehowse -	fee, 7½*d.* *per diem.*
Clarke of the checke - -	fee, 10*d.* *per diem.*
Carpenter - - - -	fee, 18*l.* 5*s.*
Plumers - - - - -	fee, 18*l.* 5*s.* apece.
Mason - - - - -	fee, 12*d.* *per diem.*
Joyners - - - - -	fee, 12*d.* *per diem* apece.
Glasier - - - - -	fee, 19*l.* 9*s.*
Survaior of the mynes - -	fee, 36*l.* 10*s.*
Devisor of buildings - -	fee, 30*l.* 10*s.*

The Great Wardrop.

Master Clarke - - -	fee, 100*l.*; livery 15*l.*
Clarke - - - - -	fee, 18*l.* 5*s.*; livery, 50*s.*; expences at 6*l.* 13*s.* 4*d.*
Porter - - - - -	fee, 6*l.* 20*d.*; livery 13*s.*
Under clark liveryes - -	fee, 4*l.* 6*s.* 8*d.*
Rent gatherer - - - -	fee, 34*s.* 8*d.*
Tailors - - - - -	fee, 6*d.* *per diem* apece.
Skinner - - - - -	fee, 18*l.* 5*s.*
Embroderer - - - -	fee, 18*l.* 5*s.*

The Butlerage of England.

Chieffe Butler - - -	fee, 100 marks; one anuity annexed unto the same office.

The Tents.

Master	fee, 30*l.*
Comptroller	fee, 12*l.* 13*s.* 4*d.*
Clarke	fee, 13*l.* 7*s.* 8*d.*
Keeper of the tents	fee, 10*l.*
Yomen	fee, 9*l.* 2*s.* 6*d.* apece.
Gromes	fee, 100*s.* 8*d.* apece.

The Revills.

The Master	fee, 100*l.* and diett in the court.

Huntinge.

The Master	fee, 18*l.* 5*s.*; officers and servants under the said Master at his appointed wages and allowances, 79*l.* 20*d.*

Harriotts hart hounds.

The Master	fee, 18*l.* 5s.

Hart hounds.

Sarjant	fee, 7½*d. per diem*; officers and servants under the said Master at his appointment, and for hounds meate and other necessaries, wages and allowances, 113*l.* 6*s.* 1½*d.*

Buck houndes.

The Master	fee, 60*l.*
Sarjants	fee, 20*l.* apece.
Yomen prickers	fee, 9*l.* 2*s.* 6*d.* apece.

Hounds meate.

To the gromes of the buck-hounds for hounds meate	fee, 13*l.* 6*s.* 8*d.*
To the gromes of the hart-hounds for hounds meate	fee, 13*l.* 6*s.* 8*d.*
Master of the other [otter?] hounds	fee, 13*l.* 5*s.*

Musitians, plaiers and trompetors.

Sarjants	fee, 24*l.* 6*s.* 8*d.*
The rest amonge them have	fee, 38*l.* 6*s.* 8*d.*
Sagbutts	fee, 20*l.* apece.
Drumsteides	fee, 18*l.* 5*s.* apece.
Plaiers on the fyfe	fee, 18*l.* 5*s.* apece.
Plaiers on the virginalls	fee, 30*l.* apice.
Musitians, strangers	fee, 188*l.* 6*s.* 8*d.*
*Plaiers on the in lutes	fee, 66*s.* 8*d.*
Maker of instruments	fee, 10*l.*

Surgians, Phisitians, Apothecaries.

Surgians	fee, 30*l.* apece.
Phisitians	fee, 100*l.* apece.
Apothecaries	fee, 4 marks apece.

Artificers.

Cutlers	fee, 6*l.* 20*d.* apece.
Paviers	fee, 9*l.* 2*s.* 6*d.* apece.
Porter	fee, 4*l.*
Stationer	fee, 26*l.* 8*d.*
Keeper of the Libraries	fee, 13*l.* 6*s.* 8*d.*
Boyer	fee, 9*l.* 2*s.* 6*d.*
Whelewright	fee, 18*l.* 5*s.*
Shipwright	fee, 18*l.* 5*s.*
Crosbowemaker	fee, 6*l.* 20*d.*
Clockemaker	fee, 6*l.* 20*d.*
Fether dresser	fee, 13*l.* 4*d.*
Locksmithes	fee, 53*s.* 4*d.* apece.
Arrowheadmaker	fee, 6*l.* 16*s.* 8*d.*
Handgunmaker	fee, 24*l.* 6*s.* 8*d.*
Sarjant painter	fee, 25*l.*
Painters	fee, 10*l.* apece.
Bucklermaker	fee, 100*s.*
Graver of stones	fee, 20*l.*
Maker of herbes† and planters of trees	fee, 25*l.* 10*s.*
Stillers of waters	fee, 20*l.* apece.
Fletcher	fee, 9*l.* 2*s.* 6*d.*
Clockeeper	fee, 13*l.* 6*s.* 8*d.*

Officers and servants in Howshoulde.

Lord Greate master [*i.e.* Lord High Steward]	fee, 100*l.* and table diett, 120 marks.
Treasurer	fee, 123*l.* 0*s.* 8*d.* and a table.
Comptroller	fee, 107*l.* 17*s.* 4*d.* and a table.
Cofferer	fee, 90*l.* and a table.

* "Players of enterludes," Q. Eliz. list.
† "Herb-bowers," *Ibid.*

The Counteinge Howse.

Clarks, 4	fee, 44*l.* 6*s.* 8*d.* apece.
Clarke to the Cofferer	fee, 5*l.* 14*s.* 6*d.*
Yomen	fee, 100*s.* apice.
Gromes	fee, 53*s.* 4*d.* apece.

The Privy Chamber.

Lorde Chamberlain	fee, 200*l.*; diett, 100 marks.
Vice Chamberlain	fee, 100 marks and a table.
Gent. of the Previe Chamber	fee, 50*l.* apece.
Gent. Ushers of the Previe Chamber	fee, 50*l.* apece, beinge dailie waitors.
Gent. Ushers	fee, 10*l.* apece, beinge quarter waitors.
Gromes of the Previe Chamber	fee, 20*l.* apece.
Carvers	fee, 50 marks apece.
Cupbearers	fee, 50 marks apece.
Sewers	fee, 7½*d.* *per diem* apece.
Esquires of the body	fee, 50 marks apece.
Gromes	fee, 53*s.* 4*d.* apece.
Yomen ushers	fee, 4*l.* 11*s.* 4*d.* apece.
Pages	fee, 40*s.* apece.
Messingers	fee, 100*s.* apece.
Clarks of the clossett	fee, 6*l.* 16*s.* 10½*d.* apece.
The band of pentioners	fee, 50*l.* apece.

The Garde.

Ordinarie yomen of the garde 250	fee 2*s.* *per diem* apece.

The Juell Howse.

The Master	fee, 50*l.*
Yomen, 2	fee, 6*l.* 13*s.* 4*d.* apece.
Gromes, 3	fee, 100*s.* 8*d.* apece.

The Roobes.

Yomen, 2	fee, 10*l.* apece.
Gromes, 3	fee, 35*s.* 4*d.* apece.
Pages, 3	fee, 40*s.* apece.
Clarke	fee, 14*l.*

The Pantry.

Sarjant	fee, 11*l.* 8*s.* 1½*d.*
Yomen 5	fee, 100*s.* apece.
Gromes 5	fee, 53*s.* 4*d.* apece.
Pages 5	fee, 40*s.* apece.
Breadberers 2	fee, 30*s.* 5*d.* apece.

The Buttry.

Yomen 4 - - - - - fee, 100*s.* apece.
Gromes 4 - - - - - fee, 53*s.* 4*d.* apece.
Pages 4 - - - - - fee, 40*s.* apece.

The Seller.

Sarjant - - - - - fee, 11*l.* 8*s.* 1½*d.*
Yomen 3 - - - - - fee, 100*s.* apece.
Gromes 3 - - - - - fee, 53*s.* 4*d.* apece.
Pages 3 - - - - - fee, 40*s.* apece.

The Ewrie.

Gents. of the Ewrie - - fee, 7½*d.* *per diem* apece.
Yomen 3 - - - - - fee, 100*s.* apece.
Gromes 3 - - - - - fee, 53*s.* 4*d.* apece.
Pages 3 - - - - - fee, 40*s.* apece.

The Kitchin.

Clarks 3 - - - - - fee, 44*l.* 6*s.* 8*d.* apece.
Master Clarks [cooks*] 2 - fee, 11*l.* 8*s.* 1½*d.* apece.
Yomen 7 - - - - - fee, 100*s.* apece.
Gromes 8 - - - - - fee, 35*s.* 4*d.* apece.
Children 10 - - - - - fee, 40*s.* apece.

Apparell to them of the Hall Kitchin, 20*l.* *per annum*, and those of the Previe Kitchin 30*l.* Largesse to the three clarks at Easter yerelie, 6*l.* 13*s.* 4*d.* To the scullery 20*s.*, to the pastrie 40*s.*

The Beedes [Beds].

Yomen 3 - - - - - fee, 100*s.* apece.
Gromes 3 - - - - - fee, 53*s.* 4*d.* apece.
Pages, 2 - - - - - - fee, 40*s.* apece.
Clarke - - - - - - fee, 14*l.*

The Bakehowse.

Sarjant - - - - - fee, 7½*d.* per diem.
Yomen 5 - - - - - fee, 100*s.* apece.
Gromes 5 - - - - - fee, 53*s.* 4*d.* apece.
Conducts 6 - - - - - fee, 40*s.* apece.

The Spicery.

Clarks 4 - - - - - fee, 32*l.* apece.
Yomen 2 - - - - - fee, 100*s.* apece.
Gromes 3 - - - - - fee, 53*s.* 4*d.* apece.

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* See Q. Eliz. list.

The Confectianary.

Yomen 2	fee, 100*s.* apece.
Gromes 3	fee, 53*s.* 4*d.* apece.
Pages 3	fee, 40*s.* apece.

The Picherhowse.

Sarjant	fee, 7½*d. per diem.*
Yomen 2	fee, 100*s.* apece.
Gromes 3	fee, 53*s.* 4*d.* apece.
Pages 2	fee, 40*s.* apece.

The Chaundry.

Sarjant	fee, 7½*d. per diem.*
Yomen 3	fee, 100*s.* apece.
Gromes 3	fee, 53*s.* 4*d.* apece.
Pages 3	fee, 40*s.* apece.
Clarke	fee, 6*l.* 13*s.* 4*d.*

The Larder.

Sarjant	fee, 7½*d. per diem.*
Yomen 2	fee, 100*s.* apece.
Gromes 3	fee, 53*s.* 4*d.* apece.
Pages 3	fee, 40*s.* apece.

The Boultinge Howse.

Sarjant	fee, 7½*d. per diem.*
Yomen 2	fee, 100*s.* apece.
Gromes 3	fee, 53*s.* 4*d.* apece.
Pages 2	fee, 40*s.* apece.

The Acatry.

Sarjant	fee, 7½*d. per diem.*
Yomen purvaiors of the salt fish	fee, 40*l.*
Yomen purvaiors of the fresh fish	fee, 7*l.* 13*s.* 4*d.* apece.
Yomen purvaiors of the oxen and mutton	fee, 35*l.* apece.
Gromes 3	fee, 53*s.* 4*d.* apece.

The Poultry.

Sarjant	fee, 7½*d. per diem.*
Yomen of the store	fee, 7*l.* 13*s.* 4*d.* apece.
Yomen purvaiors	fee, 100*s.* apece.
Gromes 3	fee, 53*s.* 4*d.* apece.

The Scaldinge Howse.

Yomen 2 - - - - - fee, 100*s.* apece.
Gromes 3 - - - - - fee, 53*s.* 4*d.* apece.
Pages 2 - - - - - - fee, 40*s.* apece.

The Pastry.

Sarjants - - - - - - fee, 11*l.* 8. 1½. apece.
Yomen 4 - - - - - - fee, 100*s.* apece.
Gromes 4 - - - - - fee, 53*s.* 4*d.* apece
Children 4 - - - - - fee, 40*s.* apece.
Clarke - - - - - - fee, 6*l.* 13*s.* 4*d.*

The Scullery.

Sarjants - - - - - - fee, 7½*d. per diem* apece.
Yomen 4 - - - - - fee, 100*s.* apece.
Gromes 4 - - - - - fee, 53*s.* 4*d.* apece.
Pages 4 - - - - - - fee, 40*s.* apece.
Children 4 - - - - - fee, 40*s.* apece.
Gents - - - - - - fee, 7½*d. per diem* apece.
Yomen 4 - - - - - fee, 40*s.* apece.
Clarke - - - - - - fee, 6*l.* 13*s.* 4*d.*

The Amners [Almoners].

Subamners - - - - - fee, 6*l.* 16*s.* 10½. apece.
Yomen 3 - - - - - fee, 100*s.* apece.
Gromes 3 - - - - - fee, 53*s.* 4*d.* apece.
Master of the children of the chappell - - - - - fee, 40*l.*
Largesse to the children at high feasts - - - - - - fee, 9*l.* 13*s.* 4*d.*

Allowance for their breakfasts, 16*l.*

The Laundry.

Yomen 2 - - - - - fee, 100*s.* apece.
Gromes 3 - - - - - fee, 53*s.* 4*d.* apece.
Pages 2 - - - - - - fee, 40*s.* apece.
Laundreses 2 - - - - - fee, 6*l.* 13*s.* 4*d.* apece.

The Wafry.

Sarjant - - - - - - fee, 7½*d. per diem.*
Yomen 2 - - - - - fee 100*s.* apece.
Gromes 3 - - - - - fee 53*s.* 4*d.* apece.
Pages 2 - - - - - - fee 40*s.* apece.

The Wooddyarde.

Sarjant - - - - -	fee, 7½*d. per diem.*
Yomen 4 - - - -	fee, 100*s.* apece.
Gromes 4 - - - -	fee, 53*s.* 4*d.* apece.
Pages 4 - - - - -	fee, 40*s.* apece.
Wooddberers 2 - - -	fee, 30*s.* 5*d.* apece.

Porters and Scorers [Scourers].

Sarjant - - - - -	fee, 7½*d. per diem.*
Yomen 4 - - - -	fee, 100*s.* apece.
Gromes 4 - - - -	fee, 53*s.* 4*d.* apece.
Porters and scorers - - -	fee, 40*s.* apece.

The Master of the Horse.

Earle of Worcester, master of the horse - - - -	fee, 200*l.*
Cheiffe Avenor - - -	fee, 40*l.*
Quiries [equerries] - - -	fee, 20*l.* apece.
Clarke of the stable - -	fee, 12*d. per diem.*
Survaiors - - - -	fee, 11*d. per diem* apece.
Riders - - - - -	fee, 30*l.* apece.
Sarjant of the Cariadge - -	fee, 15*d. per diem.*
Sadlers - - - - -	fee, 6*d. per diem.*
Yomen of the Stirop - -	fee, 9*d. per diem* apece.
Yomen purvaiors - - -	fee, 9*d. per diem* apece.
Sarjant farier - - -	fee, 8*d. per diem.*
Yomen farriers - - -	fee, 6*d. per diem* apece.
Yomen of the Male - - -	fee, 8*d. per diem* apece.
Yoman bittmaker - - -	fee, 4*d. per diem.*
Yomen of the Close Cart - -	fee, 7½*d. per diem* apece.
Gromes - - - - -	fee, 6*d. per diem* apece.

Totalis.—Sum of the fees to the officers and ministers of howshould, 16868*l.* 10*s.* 2*d.*

Townes of Warre, Castles, Bullwarks and fortresses.
Com. Cancie.

Bullwark at Higham - -	Captaine for his wages, two souldiers, one porter and five gunners, *per annum* 91*l.* 5*s.*
The Castle of Sanhill, nere Sandwich - - - -	Captaine there for his wages, four souldiers, one under captain and one souldier, two porters and ten gunners, *per annum* 200*l.* 15*s.*
The turffe bullwarke nere the Castle of Sandwich - -	Captaine for his wages, two souldiers and two gunners, *per annum* 60*l.*

The litle bullwarke of turffe in the Castle of Deale in the Downes.	Captaine there for his wages, eight souldiers, one under gunner and one souldier, two porters and sixteen other gunners, *per annum* 298*l*. 2. 6.
The claie bullwarke - -	Captaine for his wages, two souldiers and two gunners, *per annum* 13*l*.
Wallmer bullwarke - -	Porter, fee 12*l*. 13. 4. Gunner's fee 9*l*. 2. 6.
The Castle of Wallmer - -	Captaine for his wages, five souldiers, one under captaine, two porters and ten gunners, *per annum*, 200*l*. 10*s*.

Dower.

The Castle of Dower - -	The Lord Warden of the sincke ports, Constable of the castle of Dower, fee 109*l*.
The bullwarke of the under Castle of Dower - - -	Captaine for his wages, one souldier, and two gunners, *per annum* 45*l*. 12. 6.
The blacke bullwarke in the cliffe of Dower - - -	Captaine for his wages, two souldiers, one porter and two gunners, *per annum* 105*l*. 8*s*. 4*d*.
The bullwarke of Archieffe [Arcliff] nere the peire of Dower and the Castle of Sandgate near Portsmouth [Folkestone ?].	Captaine for wages, five souldiers, one under captaine, two porters and eight gunners, *per annum* 182*l*. 10*s*.

Com. Sussex.

The Castle of Camber - -	Captaine, fee, 2*s*. *per diem*. under captaine, fee, 8*d*. *per diem*. porter, fee, 8*d*. *per diem*. souldiers, 9, fee 6*d*. *per diem* apece. gunners, 17, fee 6*d*. *per diem* apece.

Com. Essex.

East Tilbury Bullwarke - -	Captaine, fee, 12*d*. *per diem*. porter, fee, 8*d*. *per diem*. gunners, 4, fee, 6*d*. *per diem* apece. souldiers, 2, fee, 6*d*. *per diem* apece.

West Tilbury - - - - -	Captaine, fee, 12*d.* *per diem.* porter, fee, 6*d.* *per diem.* gunners, 5, fee 6*d.* *per diem* apece. souldiers, 2, fee 6*d.* *per diem* apece.
The midle bulwarke of Harwich	Captaine, fee, 12*d.* *per diem.* leiftenant, fee 6*d.* *per diem.* souldiers, 2, fee 6*d.* *per diem* apece. gunners, 4, fee 6*d.* *per diem* apece. porter, fee, 8*d.* *per diem.*

Com. Southton.

The fortress called Windmill bullwarke and Chaderstone's bullwarke nere Portsmouth.	Captaine of the fortresse called Windmill bullwarke for his wages at 12*d.* *per diem* and two souldiours at 6*d.* *per diem* apece and the wages of eight mariners, fee 6*d.* *per diem* apece.
The towne of Portsmouth -	Three gunners appointed within the said towne at 6*d.* *per diem* apece.
The Bullwarke of Starks makeinge - - - - -	Six gunners appointed within the said bullwarke at 6*d.* *per diem* apece.
The fortresse of Westowe -	Captaine, fee, 12*d.* *per diem.* porter, fee, 8*d.* *per diem.* gunners, 6, fee, 6*d.* *per diem* apece. souldiours, 2, fee, 6*d.* *per diem* apece.
The Castle called Colshott Point	Captaine, fee, 20*d.* *per diem.* under captaine, fee, 8*d.* *per diem.* porter, fee, 8*d.* *per diem.* gunners, 8, fee, 6*d.* *per diem* apece. souldiours, 4, fee, 6*d.* *per diem.*
The Castle called Portsmouth -	Captaine, fee, 10*d.** *per diem.* two [twenty] souldiours there attendinge, fee 13*s.* 4*d.* *per diem.*
The newe Castle or fortresse at St. Andrew pointe - -	Captaine for his wages with other souldiours, per annum, 85*l.* 3*s.* 4*d.*

* Given as 10*s.* in Q. Eliz. list, but probably in error.

The Castle of Sandham and Sanham baie - - - Captaine, fee, 4*s.* *per diem.*
under captaine, fee, 2*s.* *per diem.*
porter, fee, 8*d.* *per diem.*
master gunners fee, 8*d.* *per diem.*
seven other gunners, fee, 6*d.* *per diem* apece.
eleven souldiers, fee, 6*d.* *per diem* apece.

The Ile of Wieghte.

The Ile of Wieght - - - Captaine of the Ile of Wieght and steward and receaver of all the possessions in the same Ile at 20*l.* per annum, and 9 men under him at 8*d.* *per diem* apece.

Com. Dorsett.

Portland - - - - - Captaine, fee, 27*l.* 6*s.* 8*d.*
gunners, 6, fee 6*d.* *per diem* apece.
souldiours, 3, fee, 6*d.* *per diem* apece.

Sandfford [? Sandfoot or Sandfort, near Weymouth] - - Captaine, fee, 12*d.* *per diem.*
porter, fee, 8*d.* *per diem.*
gunners, 5, fee, 6*d.* *per diem* apece.

Com. Cornuꝟ.

Cornuꝟ - - - - - Captaine, fee 12*d.* *per diem.*
two servants under him at 6*d.* *per diem* apece.
deputie to the Captaine, fee 8*d.* *per diem.*
and one servant at 6*d.* *per diem.*
master gunner, 8*d.* *per diem.*
gunners, 4, fee, 6*d.* *per diem* apece.
porter, 8*d.* *per diem.*

Com. Eborũ.

Eborũ - - - - - Under captaine and deputie to the under constable and steward there for his fee, 18*l.* 5*s.* and one servant under him at 8*d.* *per diem.*

The Lorde [lordship?] of Wakefeild and the Castle of Sandall	Captaine, fee, 16*d.* *per diem.* porter, fee, 8*d.* *per diem.* gunners, 6, fee, 6*d.* *per diem* apece. footemen, 8, fee, 6*d.* *per diem* apece.

Com. Northumbl.

The Castle of Tinmouth - -	Captaine, fee, 12*d.* *per diem.* master gunner, fee, 8*d.* *per diem.* six other gunners, fee, 6*d.* *per diem* apece.

Ilandes.

Garnsaie - - - -	Captaine, noe fee nor allowance of the Kinge, but the revenues of the Iland for the mainetenance of the same.
Jarcie - - - - -	Captaine, noe fee nor allowance of the Kinge, but the revenues of the Iland for the maintenance of the same.
Cellie [Scilly] - - -	Captaine, fee for his attendance, with the revenues, per annum 81*l.* 6*s.* 8*d.*

Totalis.—Sum of the fees of townes of warr, castles, bullwarkes and fortresses, 18051*l.* 8*s.* 4*d.*

Keepers, officers and ministers of castles, howses, parks, forrests and chases.

Tower of London - - -	Constable, fee, 100*l.* leiftenant, fee, 200*l.* keeper of the lions and other beasts, fee, 30*l.* 14*s.* 6*d.* carpenter, fee, 12*l.* 13*s.* 4*d.* porter, fee, 9*l.* 2*s.* 6*d.* yomen, fee, 9*l.* 2*s.* 6*d.* apece. fuell allowed the said yomen, 53*s.* 4*d.*

Midlsex.

The Fleete - - - -	Warden keeper by estate of inheretance, fee, 19*l.* 4*s.* 2*d.*
Westminster - - - -	Keeper of the parke, bowleinge allies, tennis court, and pheasant court, 12*l.* 13*s.* 4*d.*

St. James - - - -	Keeper of the ponds, fee, 10*l.* 5*s.* keeper of the howse, orchard and garden, fee, 12*l.* 13*s.* 4*d.* gardener, fee, 9*l.* 2*s.* 6*d.*
Mariebone - - - -	Keeper of the howse, coven garden and wooddes, 100*s.* keeper of the parke, fee, 6*l.* 12*d.*
Hampton Court - - -	Keeper of the parke, fee, 4*d.* *per diem.* paler of the parke, fee, 4*d.* *per diem.* keeper of the orcharde, fee, 10*l.* keeper of the garden, fee, 6*l.* 13*s.* 4*d.* keeper of the howse, fee, 6*l.* 13*s.* 4*d.* walker about the pales and chase, fee, 6*l.* 20*d.*
Hide park - - - -	Keeper of the parke, fee, 6*l.* 20*d.*
Syon - - - - -	Keeper of the howse, orcharde and garden, fee, 12*l.* 13*s.* 4*d.* keeper of the wooddes, fee, 60*s.* 10*d.*

Essex.

Waltham - - - -	Leiftenants of the forrests, 2, fee 20*l.* apece. ranger of the forrest, 9*l.* 2*s.* 6*d.* keepers, 8, fee, 12*l.* 13*s.* 4*d.* apece.
Haveringe at Bower - -	Keeper of the parke, fee 4*l.* 10*s.* 4*d.* keeper of the Southgate, fee, 3*l.* 10*d.*
Faire parke - - - -	Keeper of the parke, fee, 9*l.* 2*s.* 6*d.* keeper of Clatton [Clackton?] parke, fee, 100*s.* keeper of Alton [Aulton?] parke, fee, 3*l.* 10*s.*

Hartforde.

Duchie of Lancaster.

Mirbury Castle* - - -	Constable of the castle, fee, 6*l.* 10*s.* 4*d.* porter of the castle, fee, 6*l.* 20*d.*

* Hartford Castle, in Q. Eliz. List.

St. Albones - - - -	Keeper of the castle, fee 6*l.* 20*d.* keeper of the gaile, fee 11*l.* 10*s.* 10*d.* ranger of the forrest within the libertes of St. Albones, fee, 10*l.*

Suffolk.

St. Edmond Burie - - -	Keeper of the gaile, fee, 73*s.* 4*d.* keeper of the howse, fee 12*l.* 13*s.* 4*d.*
Framingham [Framlingham] -	Keeper of the castle, fee, 9*l.* 20*d.* keeper of the parke, fee 60*s.* 10*d.*
Westhorpe - - - - -	Bailie of the mannor and keeper of the chase, fee 8*l.*

Norfolk.

Norwich - - - -	Keeper of the castle, fee, 20*l.*
[Castle] Riseinge - - -	Constable of the castle, fee, 15*l.* 4*s.* 2*d.* walker about the chase, fee 53*s.* 4*d.* ranger and master of the game, fee, 4*l.* 11*s.* 4*d.*

Camebridge.

Duchie of Lancaster.

Socham [Soham] - - -	Keeper of the warren in the lordship of Soam, sercher of Soameie and the office of mannorship, fee, 100*s.* 7½*d.*

Huntington.

Wiltosmere [?Whittlesea mere]	Keeper of the howse and parke, fee 13*l.* 13*s.* 4*d.* keeper of the garden, fee, 4*l.* 11*s.* 4*d.*

Kente.

Queeneburowe - - -	Keeper of the castle, 29*l.* 2*s.* 6*d.*
Grenewich - - - -	Keeper of the mannor and parke with parke of pheasants, fee, 17*l.* 4*s.* 2*d.* keeper of the garden, fee, 60*s.* 8*d.* keeper of the warderop, fee, 20*l.* 5*s.* keeper of the lodge, orcharde and garden, fee, 18*l.* 5*s.*

Maidstone - - - - -	Keeper of the mannor, fee, 64*s.* 2*d.*
Ottfford - - - - - -	Keeper of the mansion howse, fee, 60*s.* 8*d.* keeper of the garden and orchard, fee 6*l.* 20*d.* keeper of the great parke, fee, 6*l.* 13*s.* 4*d.*

Surrey.

Richmond - - - - -	Keeper of the howse, fee, 6*d.* *per diem.* keeper of the parke, fee, 3*d.* *per diem.* keeper of the garden, fee, 60*s.* 10*d.* keeper of the librarie, fee, 16*l.* 2*d.* harbage paieinge 11*l.** keeper of the warderop, fee, 9*l.* 2*s.* 6*d.* keeper of the orcharde, fee, 6*l.* 20*d.*
Stockwell and Leadhurst in Lamheath [Lambeth] Deane	Keeper of the mansion howse of Stockwell with the gardens and orchards, fee, 4*d.* *per diem.*
Bagshott in Windsor forrest -	Keeper of the parke of Bagshott, fee, 100*s.*, harbage paienige, 11*l.*
Mendlie † - - - - -	Keeper of the parke, fee, 9*l.* 2*s.* 6*d.*
Otelands - - - - -	Keeper of the howse, fee, 60*s.* 8*d.* keeper of the warderop, fee, 9*l.* 12*s.* 6*d.* keeper of the garden and orcharde, fee, 12*l.* 13*s.* 4*d.* keeper of the parke, fee, 60*s.* 8*d.* harbage paieinge, 11*l.*
Nonsuch - - - - -	Keeper of the garden and orchard, fee, 6*l.* 20*d.* keeper of the warderop, fee, 6*d.* *per diem.*

* Perhaps should be "herbage and pannage," which item occurs repeatedly in the Q. Eliz. list. And see p. 78, below.

† Henley, Q. Eliz. list.

Parris garden - - -	Keeper of the Kinge's beares, fee 11*l.* 8*s.* 1½*d.*
	keeper of the Kinge's mastives, fee 11*l.* 10*s.* 4*d.*

Sussex.

Pettworth - - - - -	Master of the game, fee, 16*l.* 2*s.* 4*d.*
	keeper of the howse and garden, fee 40*s.*
	keeper of the great parke, fee 60*s.* 10*d.*

[Warwick.]

	Keeper of Wedgnock parke, fee 9*l.* 2*s.* 6*d.*
Grodrest [Goodrest] - -	Keeper of the mannor of Grodrest, with the garden and waters within the parish of Wedgnock, fee 16*l.* 16*s.* 4*d.*
	paler of Wedgnock parke, fee 66*s.* 10*d.*
	keeper of the woodds within the same parke, fee, 60*s.* 10*d.*

Leicester.

Leicester - - - - -	Constable and porter of the castle, fee, 60*s.* 8*d.*
	cheiffe forrester and keeper of the chase, fee, 60*s.* 8*d.*
	keeper of the barne parke,* parcell of the chase of Leicester, fee 45*s.* 6*d.*
Hartley woodds - - -	Keeper of the woodds within the chase of Leicester, 45*s.* 6*d.*

Hereforde.

Huntington - - - -	Constable of the castle, fee, 100*s.*
	keeper of the parke, with 8*s.* 4*d.* for doggs meate, fee 78*s.* 10*d.*
Wigmore - - - -	Constable of the castle, fee, 15*l.* 4*s.* 2*d.*
	keeper of the parke, fee 6*l.* 20*d.*

* "barren park" in Peck. As here in "Royal Household."

Stafforde.

Tudburie [Tutbury] - -	Keeper of the woodd of Tudbury and Burley Lodge [Barkley?] within the chase of Medwoodd [Needwood], fee, 30*s.* 4*d.* keeper of the chase of Medwoodd, fee, 100*s.* keeper of the parke under the castle of Tudburie, called the Litle Parke, fee, 30*s.* 4*d.*

Salop.

Bridgnorth - - - - -	Keeper of the castle, fee, 9*l.* 2*s.* 6*d.*
Clewbury Mortimer and Wiere-	Keeper of the forrest of Wier, fee, 100*s.* keeper of the parke of Clewbury and Mortimer, fee, 6*l.* 20*d.*

Darbie.

The honour of Tutbury and Duffeild forrest - - -	Steward of the forrest of the honour of Tutburie and Duffeild Freth [Frith], fee, 9*l.* 2*s.* 6*d.*
Altum pec[cum] [High Peak] -	Steward of the forrest and constable of the castle, fee, 18*l.* 18*s.* 4*d.*

Chester.

Chester - - - - - -	Constable of the castle, fee, 6*l.* 13*s.* 4*d.* porter of the castle, fee, 4*l.* 11*s.* 4*d.* keeper of the gardens within the castle, fee, 4*l.* 11*s.* 4*d.*

York.

Scarburowe - - - -	Keeper of the castle, fee, 16*l.* master of the game of all forrests, chaces and parkes within the honour of Pomffrett, fee, 6*l.* 13*s.* 4*d.*

Pomffrett - - - - - -	Constable of the castle, fee, 6*l.* 13*s.* 4*d.* porter of the same, fee, 6*l.* 13*s.* 4*d.* keeper of the ordinance and artillery, fee, 12*l.* 13*s.* 4*d.* keeper of the parke, fee, 40*s.* 4*d.*
Pickeringe and Pickeringe Leigh	Steward of the lordshipp and constable of the castle and master of the game within the lordshipp, fee, 10*l.* rider of the forrest, fee, 60*s.*8*d.*

Southton.

Winchester - - - - -	Constable of the castle, 6*l.*13*s.*4*d.*
Newe Forrest - - - - -	Baielie of Burley in the Newe Forrest, fee, 9*l.* 2*s.* 6*d.*
Southton - - - - -	Constable of the castle, fee, 10*l.*

Gloc.

Bristoll - - - - - -	Keeper of the castle, fee, 28*l.* 7*s.* 8*d.*
Kingswood and Fellwood forrest	Ranger of the forrest, 11*l.*8*s.*1½*d.*

Somersett.

Bridgwater - - - -	Keeper of the castle, fee, 100*s.*
Poulton [Paulton] - - -	Keeper of the howse, fee, 6*l.* 20*d.*
Northwoodd - - - -	Keeper of the howse, parke and lodge, fee, 15*l.* 14*s.* 10*d.* keeper of the bathes, fee, 6*l.* 20*d.*

Dorsett.

The mannor of Kingstone Lacy	Keeper of the chase of [Wimburne] Holt and Rudburt [Badbury?], the parke, and master of the game, fee, 20*l.* 6*s.* 8*d.*
Canfford - - - -	Keeper of the mannor, fee, 4*l.* 4*s.* 4*d.*

Devon.

Plinton [Plympton] - -	Constable of the castle and bailie of the hundred, fee, 4*l.* 6*s.* 8*d.*

Cornwll.

Launcestone	Constable of the castle, fee, 13*l.* 6*s.* 8*d.*
Tintagell	Constable of the castle, fee, 9*l.* 2*s.* 6*d.*
Trevireton *	Keeper of the castle, fee, 60*s.* 8*d.*
Liscard	Keeper of the Liscard [Park?] called New Parke, fee, 9*l.*
Restornell [Restormel]	Constable of the castle and keeper of the parke with harbage and pomadge [pannage] of the same, fee, 9*l.*
[Office of the Haven of the Duchy †]	Havenor, fee, 6*l.* 13*s.* 4*d.*

Barks.

Windsor	Constable of the castle, fee, 20*l.* leiftenant, fee, 10*l.* keeper of the keis of the castle, fee, 9*l.* 2*s.* 6*d.* keeper of the great parke, fee, 12*l.* 13*s.* 4*d.* porter of the utter gate of the castle, fee, 4*l.* 11*s.* 4*d.* keeper of the leades, fee, 60*s.* 8*d.* clark of the castle, fee, 9*l.* 2*s.* 6*d.* rod berer in the castle, fee, 8*l.* 13*s.* 4*d.* keeper of the warderop, fee, 13*l.* 13*s.* 4*d.* ranger of the forrest, fee, 9*l.* 2*s.* 6*d.*

Oxforde.

Wooddstocke	Keeper of the parke, fee, 9*l.* 2*s.* 6*d.* comptroller, fee, 4*l.* 11*s.* 4*d.* keeper of the garden, fee, 60*s.* 10*d.* keeper of the medowe, fee, 40*s.*
Wichwoodd	Ranger of the forrest, fee, 9*l.* 2*s.* 6*d.* keeper of the forrest, fee, 24*l.* 6*s.* 8*d.*

* Tremerton in Q. Eliz. list. Probably Trematon, a castle belonging to the Duchy of Cornwall.
† See 2. Eliz. list.

Northamton.

Duchie of Lancaster.

Higham Ferris - - -	Keeper of the mannor and parke, fee, 4*l.* 11*s.* 4*d.* keeper of the castle, fee, 40*s.*
Fodringhaie - - - -	Porter of the castle, fee, 60*s.* 8*d.* keeper of the parke, fee, 6*d.* per diem.
Grafton and Hartwell - -	Leiftenant, fee, 40*l.* keeper of the parke, fee, 60*s.* 8*d.*
Hartwell - - - -	Keeper of the howse at Grafton and the parke at Hartwell, fee, 6*l.* 20*d.*

Warwick.

Topcliffe* - - - - -	Steward and master of the game, fee, 6*l.* 13*s.* 4*d.* keeper of the greate parke, fee, 6*l.* 20*d.* paler of both the parkes, fee, 66*s.* 8*d.*

Northbt.

Duchie of Lancaster.

Dunstoneburch [Dunstanburgh]	Keeper of the castle, fee, 20*l.*
Warkworth - - - -	Constable of the castle, fee, 10*l.* porter of the same, fee, 60*s.* 8*d.* keeper of the parke, fee, 40*s.* 4*d.*

South Wales.

Kidwillie [Kidwelly, co. Carmarthen] - - - - -	Constable and porter of the castle, fee, 5*l.* 11*s.* 4*d.*
Monmouth, Whitcastle, Skenrith [Skenfrith], Grosinatt and Hadnocke.	Porter of the castle of Monmouth, the keeper of the woodds of Whitcastle, Skenrith, Grosint, and Hadnocke, fee, 4*l.* 11*s.* 4*d.*
Monmouth - - - -	Constable of the castle, fee, 40 marks. forrester of the forrest of Hadnocke, fee, 53*s.* 4*d.*

* Probably Topcliffe in Yorkshire. Perhaps the original had Eurewic. . Not in the Q. Eliz. list.

Brecknock.

Bentlies [Bronllis ?] - - - Constable of the castle, fee, 6*l.* 13*s.* 4*d.*
porter of the same, fee, 100*s.*
Denies [Dinas ?] - - - Constable of the castle, fee, 100*s.*

Pembrook.

Gillgaron [Kilgerran] - - Constable of the castle, fee, 6*l.* 20*d.*
Radnor - - - - - - Constable of the castle, fee, 9*l.* 2*s.* 6*d.*
Berverdon - - - - Constable of the castle, fee, 20*l.*
keeper of the gunnes, fee, 3*l.* 2*s.* 6*d.*
Cardigan - - - - Constable of the castle, fee, 10*l.*
Baielie Ewatt, fee for Berverdon, 11*l.* 3*s.* 4*d.*
fee for Cardigan, 11*l.* 3*s.* 4*d.*
Haverford West - - - Constable and porter of the castle, fee, 5*l.* 14*s.* 6*d.*

Aburleigh.

Aburleigh - - - - Captaine of the castle in Aburleigh in com. Cardigan, fee, 12*d.* *per diem*, and twelve souldiours at 4*d.* *per diem* apece.

North Wales.

Carnarvan - - - - Constable of the castle, fee, 60*l.*
porter of the same, 6*l.* 20*d.*
Conwaie - - - - - Constable of the towne of Conwaie, fee 50*l.*
porter of the same, fee, 100*s.* 8*d.*

Totalis.—Sum of the fees of all the castles, howses, parks. forrests and chases, 5,268*l.* 10*s.* 4*d.*

The general musters taken throughout the whole realm of England and Wales.

Countries and Cities.	Ablemen.	Armed men.	Pyoners.	Demi lances.	High horses
In Camebridgshire -	5000	2500	300	30	200
In Cambridge -	320	200	200	2	24
In the Ile of Elie -	600	200	36	0	20
In Cornwall - -	8500	3500	686	35	260
In Darbieshire -	5600	2300	360	15	80
In Devonshire -	6500	2500	800	26	150

Countries and Cities.	Ablemen.	Armed men.	Pyoners.	Demi lances.	High horses.
In Exceter - -	750	500	146	0	12
In Sussex - -	6200	2500	150	16	280
In Lincolnshire -	8000	4000	355	45	200
In Lincolne - -	226	120	48	0	10
In Somersetshire -	6000	2000	460	30	120
In Bristowe -	5000	2500	400	12	28
In Hartfordshire -	4500	2000	260	28	180
In St. Albones -	200	100	40	0	6
In Worcestershire -	5600	2500	230	20	85
In Northfolke - -	6800	3500	350	20	140
In Linne Regis -	260	85	30	0	3
In Norwich - -	4000	2500	300	3	22
In Essex - -	5280	3500	365	28	200
In Colchester - -	400	180	30	0	10
In Shropshire - -	6500	3000	286	25	300
In Ludlowe - -	2400	1000	100	10	30
In Shrowsburie -	800	300	45	2	4
In Midlesex - -	4000	3000	560	40	60
In London - -	40000	25000	3000	60	180
In Wilshire - -	5500	2500	140	20	200
In Sarum - -	500	150	6	0	3
In Leicestershire -	3000	2000	200	10	10
In Oxfordshire - -	5600	1800	250	6	80
In Oxford - -	500	260	100	0	10
In Dorstershire -	6000	2500	100	10	65
In Poole - - -	300	120	40	0	3
In Surrey - -	6200	2500	280	8	120
In Barkshire - -	6000	2800	280	16	120
In Buckinghamshire-	5300	2300	300	18	180
In Bedfordshire -	5600	2200	130	10	160
In Staffordshire -	6300	2600	250	12	200
In Leichfeild - -	285	150	80	0	5
In Lancashire - -	8000	2800	300	25	150
In Hamshire - -	6000	2500	350	22	180
In Southamton -	750	500	60	8	8
In Winchester - -	200	120	23	0	3
In Nottinghamshire -	4000	1500	100	18	100
In Yorkshire - -	16000	11000	700	120	340
In Yorke - - -	6000	2000	500	6	20
In Warwickshire -	5000	2500	170	15	150
In Kent - - -	7500	300 (*sic*)	250	20	200
In Cheshire - -	5000	2300	180	18	150
In Chester - -	350	200	36	0	4
In Herefordshire -	5500	2000	150	8	190
In Hereford - -	340	240	40	0	4
In Northamtonshire -	4600	1800	150	8	120
In Huntingtonshire -	3500	1350	120	12	120
In Rutlandshire -	1800	300	65	3	24
In Westmerland -	2000	1200	100	4	80
In Cumberland -	2100	1300	86	5	100

Countries and Cities.	Ablemen.	Armed men.	Pyoners.	Demi lances.	High horses.
In Northumberland -	2300	1800	100	8	125
In County Durham -	1500	850	65	6	100
In Suffolke - -	7500	3800	360	20	160
In Glocester - -	4560	2800	250	18	150
In Monmothshire -	2000	100 (*sic*)	65	3	50
In Clamorganshire -	1800	1000	54	5	45
In Pembrookshire -	1500	850	62	4	35
In Radnor - -	1000	600	85	2	20
In Brecknockshire -	1200	520	46	3	30
In Cardiganshire -	2000	500	55	4	28
In Carmarthenshire -	1000	400	34	2	22
In Mongomery -	1300	500	40	4	30
In Merionth - -	1000	300	32	3	25
In Anglicœ - -	600	180	30	3	10
In Denbieshire -	1400	400	50	2	35
In Flintshire - -	800	230	38	2	10
The sum of all	296131	1413105	16345	935	6777*

Besyde what the Noblemen, Earles, Barrones, Lords, Archbishopps, Bishopps and Prelatts of England can make, which is supposed to be abowt 20000 armed men, and 4000 horses.

The names of such as are certified into the Exchecquer to be fugitives over the sea, contrary to the statute of the 13th of Elizabeth.†

Essex - - - - -	Henerie Parker, ‡ Esq. (*sic*).
	Charles Parker, gent.
	Edward Parker, doctor of lawe.
	Thomas Clement, gent.
	Margarett Clement, *vidua*.
	§ John Clement, doctor of phisicke.
	John Griffin.
Yorke - - - - -	Richard Norton, Esq.
	John Twinge, gent.
	Anthonie Longdale, gent.
	John Browne, gent.

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* The correct totals are 289621, 140105, 16439, 938, 6578.

† This list appears to be taken from one dated Dec. 26th, 1576, of which there is a copy amongst the State Papers (S.P. Dom. Eliz. Vol. 110, No. 9). The names are the same (except that there are certain omissions in the present list, presumably men dead or returned,) and the distribution under the counties is identical. A list printed by Peck is substantially the same, but the spelling of the names is apparently inaccurate, and also the arrangement under the counties.

‡ Lord Morley.

§ Noted as "*mort*" in margin of 1576 list (in different hand).

Darbie	John Sacheverell, Esq.
	Henery Babington, gent.
London	*Homfraie Shelton, Esq.
	Hugh Sharnock [Charnock], gent.
Suffolke	†Anthonie Wilkinson, parson of Hawkstead.
	Walter Gerfingham [Jerningham], gent.
	†Robert Steepes, parson of Milford.
	Nicholas Wendon, archdeacon [of Suffolk].
	Richard Selley, gent.
	Edmond Smart, gent.
	Henery Druery, gent.
	William Somes, gent.
Surrey	Thomas Capeley,‡ Esq.
	Anthonie Stanton, gent.
	John Prestall, gent.
Sussex	John Leede, Esq.
	James Shelley, gent.
	William Stapleton, gent.
	Thomas Stapleton, *filius*.
Hamshire	Thomas Selley, gent.
	Anthonie Willinson, gent.
	John Flower, clerk.
Lancaster	Thomas Haughton, Esq.
	Evan Haidocke, gent.
Kent	John Haward, gent.
	Roberte Gills, gent.
Stafford	Richard Hopkins, *cum fratre*.
Dorset	Roger James, clarke.
Camebridge	Roberte Cowe, clerk.
	Thomas Homadieu, clerk.
Hartford	Roberte Chauntry,§ clerk.
Midlesex	Richard Selley, ‖*confratrum* arm.
Leicester	Henerie Joliffe, clerk.
	John Pott, scolemaster.
	John Bower, ¶ gent.
Somerset	James Fitzjames, clerk.
	Gilbert Barford, clerk.
	Edward Crockford, clerk.
	William Good, scolemaster.
	Gyles Chapell, clerk.

* Noted as "*mort*," in 1576 list.

†Anthony Wilkynson, parson of Melford; Robert Stepes, parson of Hackested.—*Ibid.*

‡ Copley.—*Ibid.*

§ Roberte Kent, Thomas Hanadyne, Robert Chaunce.—*Ibid.* But Chauntrie in Peck.

‖ "Miles unus confratrum nuper hospitalis Sancti Johannis, Jerusalem."—*Ibid.*

¶ "Late Abbot of Leicester."—*Ibid.*

Norfolke	John Dode, gent.
	James Busgrave, gent.
	William Phillips, gent.
Oxford	John Bostord, gent.
	John Hartford,* yoman.
	Margarett Hart, *vidua*.
	Elizabeth Hart, *filia*.
Bedford	Edmond Cosen, gent.

All the churches within every sheire in Englande and Wales.

Suffolk	420	Devon	400
Northfolke	674	Cornuƀ	159
Camebridge	167	Kent	371
Huntington	80	Glocester	296
Northamton	280	Warwicke	162
Leicester	202	Somerset	382
Rutland	47	Yorke	459
Bedford	120	Nottingham	179
Buckingham	240	Richmont	140
Oxford	175	Carlisle	50
Barks	140	Westmerland	24
Lincolne	620	Durham	111
Wilts	263	Lancaster	360
Dorset	246	Chester	67
Wigorn	152	Stafford	83
Bristoll	17	Darbie	109
London	109	Salop	168
Midlesex	68	Hereford	181
Essex	369	St. David's dioces	85
Hartford	228	Landaven dioces	160
Southton	253	Asaph dioces	177
Serusen†	12	Bangoren dioces	92
Surrey	115		
Sussex	295	*Summa*	‡9210

Finis

§ Edward, Lord Zouche to [Sir Edward Montague?]

[1607 or 1608?]—"I thank you kindly for your letters of the 10th of July, which I received not till the 13th of the same, the day you wish me at Boughton, and that hath made me sin (*sic*) both to be revenged of you and to see my most honoured Lord, for if I

* Harte, in 1576 list.

† *Sic.* Possibly meant for Jersey, the old name for which was Cæsaria, and which had twelve parish churches. It would naturally come after co. Hants., as being included in the diocese of Winchester.

‡ Correct sum, 9507.

§ Robert Bertie, Lord Willoughby of Eresby (afterwards Earl of Lindsey) succeeded to his father's embarrassed estates in 1601, and in 1605 married Elizabeth, daughter of Sir Edward Montague (3). Lord Zouch is mentioned in connexion with his debts in 1608 (*see* Cal. S. P. Dom. 1603-1610, *p.* 465) but the letter more probably belongs to the summer of 1607, when, after some riots in consequence of enclosures, the King issued a commission to see that the rights of the poor were upheld.

had a spirit to carry me so fast as my wishes, or I think the affections of my heart, both you might see the effect of the one, and he might guess at the effect of the other. I have had a feeling of your hurt two ways since you went, the one for your credit, that in the west division you withdrew yourself when you had good occasion to conquer, the other when I heard poor Boughton's enclosures must also go down. But I hope they are both untruths, because you excuse not the one nor complain of the other, unless you think me neither worthy to receive excuse, nor Christianly disposed to just pity; but I hope better of both in respect of your affection. You are the first which giveth me news of Sir Henry Fowke's hope of recovery, we having [news] here that he is dead, but I do seldom draw grief upon me till I must needs; hoping the best and knowing that if the worst fall, his death was in the service of his prince and country, wherein I hold it more happy for any to die than to live to see the least contumely fall upon either. That mercy doth no good with the vulgar, I have ever held, and you too late have found. Concerning my Lord Willoughby's business, my man doth advise me not to give above five thousand pounds, things standing as now they do, but methinketh, if my Lord would keep it, he may profit by it. I will return your surveys when you will, and pray you to take order before you come up with some course for my lord's debts. I will join with you in anything you will reasonably require."

Postscript. "I pray you remember my duty to my Lord Lieutenant, and kind commendations to those with him." 1 *p.*

Sir George Carew to [Sir Ralph] Winwood.

1609, April 27. Paris.—My very good Lord, we have here very lately the news of the executing of Du Terrail at Geneva. He had been first apprehended by those of the Canton of Berne, taking the view of a fortified passage between them and Geneva. A few days before his execution, he was delivered into the hands of those of that town by them of Berne, who, after they had passed over a few formalities of justice, would have put him to the torment, whereupon he chose rather to confess the enterprises which he had in hand against the town, on which they condemned him to lose his head. . . . Monsieur d'Esdiguieres did employ himself earnestly for him, as I understand, but the King, neither in the proceeding nor after the news of the execution, showed any desire, either to his good or harm.

The States here at this present receive all the fair shows that may be, both by promise of money and pretence of an assured and advantageous confederation with them, which I think hath chiefly an aspect to those businesses now in hand at the Hague, they here being earnest promisers in the moments of affairs.

My Lord of Cranbourne is newly gone from this town to Orleans, and will, I think, visit this summer most of the chief towns of France. The King, before his going, gave him many

demonstrations of kindness, and seemed to make much of him, not only out of deliberation, but somewhat out of affection. So for this present I commit your Lordship to the holy protection of the Almighty. *Signed. Seal of arms.* 1½ *pp.*

Addressed. "A Monsieur, Monsieur Winwood, un des ambassadeurs pour le roy de la Gran Bretagne aux Etats des Provinces Unies du Pais Bas, a la Hague."

Sir Charles Mountagu to his brother Sir Edward Mountagu.

1610, November 16. Hemmington.—My heart leaped when I heard your man Paine was come, and no news could be more welcome than this if it happily proceed. "It is so fitting for them both as I know not which of them shall be the happier. God make us thankful for his mercy, and ever with patience attend his good pleasure." My lady intends us to meet on Friday next at Hornsey. "My wife, I thank God, is now creeping up again. Your cordial letter made her have fresher cheeks than all the beer I gave her this week. What it does amongst the rest of the ladies, you can judge. We will pray and praise you, which is not the worst rewards." *Seal with crest.* 1 *p.*

The Privy Council to the Earl of Exeter, Lieutenant for co. Northampton.

1610[-11], March 17. Whitehall.—Stating that, owing to the trouble and loss in furnishing provisions for the King's household, the justices and other gentlemen of divers counties near London have prayed to be allowed to make a yearly payment to the officers of the Green Cloth in lieu thereof, which has been yielded to, and requesting the Earl to communicate with the justices of co. Northampton on the subject, that if they find it convenient to do the like, the Green Cloth may confer with them for settling the composition. *Ten signatures, all in one hand.* 1 *p.*

[*Overleaf.*]

The Earl of Exeter to the Justices of the Peace for co. Northampton.

1610[-11], March 19. "From my house in the Strand."—Sending the above letter, and requesting them to disperse it from the hands of one gentleman to another, as the time appointed for the next quarter sessions, being within ten days after Easter, will serve very fitly for the despatch of this service, and an answer should be returned to the Council by the beginning of next term. *Copy.* ½ *p.*

King James I. to Sir Robert Winde, Knight.

[1611,] December 3. Palace of Westminster.—Writ of Privy Seal for the loan of 20*l.* "for divers public services and particularly for continuing and increasing our magazines in some

large proportion in our realm of Ireland, in our navy and in our forts," to be paid to Sir Charles Cornwallis within twelve days. *Signed by Fras. Mylles, clerk of the Privy Seal. Dated* "The third day of November in the ninth year of our reign of Great Britain, France and Ireland." [*Where the seal has been attached is pasted a scrap of paper, containing a few words of the latter part of the Apostles' Creed and of the rubric following it.*]

THE KING to [WILLIAM MONTAGUE].

1611, December 15. Palace of Westminster.—Privy Seal for the loan of 20*l.*, to be paid to Sir William Fitzwilliam. *Signed*, Fras. Mylles.

Underwritten.—Receipt by Fitzwilliam for the above sum from William Mountague, Esq., Jan. 10, 1611[-12].

THE PRIVY COUNCIL to the EARL OF EXETER, Lord Lieutenant [of co. Northampton].

1611[-12], March 10. Whitehall.—Informing him that the King of Denmark is desirous to raise levies in England, having sent an express Ambassador to his Majesty, King James, requesting permission to do so. Commission has been given to Lord Willoughby and others to raise volunteers "upon such conditions as may invite men of active spirits to serve under such a prince," and it is his Majesty's wish that the Lieutenants of counties "further the employment as much as in them lieth."

Seven signatures, all in one hand. 1 *p.*

THE COUNCIL to the DEPUTY LIEUTENANTS and JUSTICES OF THE PEACE of co. Northampton.

1612[-13], February 27. Whitehall.—Acquainting them that Sir Lewis Tresham, Bart., complains that they have taken "such armour and furniture of war as were in his house, whereupon he finds himself grieved, being no recusant," and have also sealed up his study door and the door of another room wherein all his evidences are, and requesting them to give an account of their proceedings. *Seven signatures. Copy.* 1 *p.*

SIR WILLIAM TATE to SIR EDWARD MOUNTAGUE, at Boughton.

1613, April 23.—"The occurrences I receive, I present, and I would they were more acceptable. Letters are coming, as I hear, if not already arrived, for training of soldiers, for which in my opinion it were good we should consult, if any such direction be given, before we proceed. To which I moved Sir Arthur Thro: [Throgmorton] here, not foreseeing this occasion, who is now in physic, and not disposed to stir abroad till the 9th of May, about which time I intend (if God prevent not) to be at London to attend upon my Lord. And if it might so fall out that these common causes could be treated of before my going, I should be glad to take some taste of them before my journey, for at my return, I shall gather up nothing that hath been acted in my absence.

"The news, as my intelligence is, that the Palsgrave and his lady are at Canterbury, expecting a fair wind for passage. That the Prince escaped a great danger by coach without any hurt. The King at Whitehall, not well disposed, the cause unknown. The Queen resolved to take her journey towards Bathe to-morrow. That the Turk hath advanced a great army towards Christendom, which stayeth the Spanish design till some certainty appear where that great army will sit down.

"There is expectation that the Privy Seal shall now receive the white staff, and Sir Henry Nevill become Secretary, and the report is that Rochester hath lent the King £20,000 in his want, to supply his daughter's journey. Believe of this as much as you please. My purpose is to let you see that small cause moveth me to salute you."

Postscript.—"My Lord Zouch is much troubled with his legs, but goeth abroad. Wife saluteth you and lady." 1 *p.*

Sir Raphe Winwood to his wife, Lady Elizabeth Winwood, at the Hague.

[1613,] May 3. Middleburgh.—"The wind with us is full east, and so, if credit be to be given to our men of the sea, will continue for some days; yet if the Elector were once come, I would be presently with you. He doth depart from the Hague before the Princess. I think it will be necessary for me to invite her to my house some afternoon, whereof I have thought good to give you notice, that accordingly you may make provision. Further than Leyden you need not follow her, if so far. I pray God send you health and bless our children." *Seal with device.* 1 *p.*

Sir William Tate to Sir Edward Mountague.

[1613,] May 25.—"My late return home on Saturday night last hath protracted my answer to your letters, for which first I thank you. And in the next place, let you know that I am sorry I had not prolonged my abode one week more till these services had been settled in some orderly course, which are now proceeded in—as I take it—very preposterously and not to be revoked, the warrants being already gone forth to summon the country for appearance and training in three several places, and money taxed for the charge thereof. So that if the muster-master comes, we shall be in good readiness for him, if too much haste mar not all, which I expect and am assured must fall out. We propose but three days to be spent in a place for training, which I think will be sufficient, and though three places be appointed for that end, it must be reduced unto two. And, as I hear, one of our captains will train his own company, so that our muster master shall have some more ease. The project for money amounteth near 200*l.* to defray this charge, from which I would have made a substraction if I had come seasonably. Thus have I discoursed at large the propositions here, so far as I collect them upon view of the

warrants come to my hands. In which I pray you requite me again as you have opportunity, that we may concur in one so near as may be.

"The passages of these times you know better than I can relate them, and there are not many very memorable. The greatest of moment is the proceeding to separation betwixt the Earl of Essex and his lady. My lord Zouche, confident of his good estate of body, went to court a fortnight since, and the next day to Star Chamber, but in the afternoon he relapsed into one of his swooning fits, which drew him to Brâmsell for change of air, where he enjoyed good health, and is returned to London again on Friday last to renew his course of physic. And all things went well where I know you wish all good. And as touching your particular with the Earl of Ex[eter], from whom I have brought a new deputation, I find you have a strong part there, and I am persuaded if he knew how to retract his promise he would willingly revoke it. The larger discourse I leave to our meeting the next week, when I shall be glad to see you at De la Pre, to take an ill lodging there." 1½ *pp.*

Sir Anthony Mildmay to [Sir Edward Montague].

1613, May 26. Apthorpe.—Does not at all marvel at the contrary courses of the men on the other side of the county, which, however, have never yet prevailed, so that he holds it best to keep on in a direct course in the service of the country and the prince. 1 *p.*

Thomas, Earl of Arundel and Surrey to Sir Ralph Winwood.

[1613?] November 8-18. Siena.—"I have received your Lordship's of the 27th of September, from London. If I acknowledge the receipt with thanks late, it is because I, being parted from Padua* and come hither, it was long before it found me. Wheresoever I am, I shall ever wish I could express as much my affection to your Lordship in deeds as I desire and you deserve, for your favour in writing the occurences at home. 'Tis true, more than that it comes from home (which is ever grateful) your Lordship guesseth rightly that it gives no great contentment to him who wisheth prosperity and plenty instead of poverty and misery, which, in this quiet place, I have more time heartily to wish for than verily to hope to hear of. Here in Siena I mean to spend some of this winter, both for the air, which though sharp they say is wholesome, and besides, I would fain learn some little of the language, which here is good. Till the spring I despair to see your Lordship in England, though here and ever (*sic*) to wish your Lordship all happiness as your Lordship's most affectionate friend. My wife commends her kindly to your Lordship, with thanks for your often remembrance."

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*The Earl of Arundel was at Padua in the summer of 1613, and Winwood went over to England in the September of that year.—See Winwood State Papers Vol. III., pp. 473, 482.

Addressed:—"To my assured friend Sir Ralph Winwood kt., Lord Ambassador for his Majesty to the Estates, at his house in Little St., Bartholemews, London."
Holograph. 1 *p.*

SIR CHARLES MOUNTAGUE to his brother, SIR EDWARD MOUNTAGUE.

1613, December 8. Lumbert Street.—Concerning the felling of the ash trees in his close. He begs his brother not to cut down the few trees round the house, as their shelter is so great a benefit, nor yet those in the hedgerows, from which he has always thought he might (by courtesy though not by right) cut stakes for the fences, and the felling of which would injure his ground and much weaken the fence. 1 *p.*

THE SAME to THE SAME.

1613[-14], Feb. 8. Lumbert Street.—"I have acquainted my brother Sargent* with your letter, who says he hears that nothing but the tenements will be sold, but if the park and woods will go with them, he will hearken after them and to-morrow he will talk with Sir Julius Caeser about the woods." My cousin Palmer told me to-day that he has done nothing about his business but send down a letter from the Bishop to the Dean. "I am much puzzled about my Lord Willughbie's and his brother Peregrine's business, and my lord's debt to the King is like to be so troublesome and chargeable to him as I think I shall be driven to lay down 200*l.* or 300*l.* for him. . . . . I can get no rent of the Spanish ambassador, and he says he will leave the house. I do not see any body now will give 2,000*l.* for it. I thank God my wife and her little ones be reasonable well, and we are glad to hear my sister is in good forwardness of a boy. They say we shall have a parliament about the beginning of April and its thought my brother will be Speaker. We have lost the last of the old he brood of the Harringtons, Sir James Harrington, who is dead. I would not that the news should come too soon to Hemington."
1 *p.*

THE COUNCIL to the EARL OF EXETER, Lord Lieutenant of co. Northampton.

1614, September 13. Whitehall.—Order that on account of the proceedings of the Marquis of Spinola in Cleveland,† and the discovery of a great fleet upon the coasts, full of soldiers and munition, a general muster is to be made, the trained bands filled up, the men kept in readiness, the stores replenished with ammunition, &c., the beacons prepared and all former directions for the safety of the country duly observed. 10 signatures. *Copy.*
2½ *pp.*

* *i.e.* his brother Henry, serjeant-at-law.
† These are given in much more detail in the next letter.

THE COUNCIL to the SHERIFF AND JUSTICES OF THE PEACE in co. Northampton.

1614, September 17. Whitehall.—"We lately have addressed our letters unto you, wherein we did exhort you, after the example of the Lords spiritual and other of the nobility then residing about the town, out of your own free and voluntary contribution to concur for the present relief of his Majesty's urgent necessities. If the reasons which then we alleged, that is for the supply of Ireland, for provision of the cautionary towns in Holland and Zealand, and for the furnishing of the Navy, were then important, the importance of them all, jointly and severally, is now much improved by the troubles which since are happened in our neighbour countries to the prejudice of his Majesty's nearest friends and allies, in whose welfare and preservation his Majesty's service is deeply interested. For you cannot but understand that the Marques Spinola hath amassed together a strong and powerful army, which sometime he pretendeth to have done under the charge of the Arch-duke, sometimes under the name of the King of Spain, sometimes, as best may serve for his advantage, under the command of the Emperor, whereby we may conclude that they all three are combined together; and hath carried all the towns in the countries of Juliers and Cleves, situated upon the tract of the Rhyne, whereby not only the Elector of Bradenburgh is deprived of the possession of these towns, which he for many years peaceably enjoyed, whose right his Majesty is bound to defend by virtue of the treaties contracted between him and the Princes of the Union in Germany, but the persons and states of the Elector Palatine and the Princess his lady, his Majesty's only and dearest daughter, environed on all sides by divers armies, are at this present endangered, between whose countries and his Majesty's dominions, by the usurpation Spinola hath made upon the river of Rhyne, all commodity of passage and intercourse is intercepted and cut off. The designs of these forces cannot but portend an imminent danger to his Majesty's kingdoms, which he in the providence of his princely wisdom doth hold necessary to prevent, which is the cause that hath moved him to command a general muster to be instantly made through his realm of England, his Navy speedily to be put in order, and all recusants to be disarmed, who, being ill-affected in religion, he hath reason to doubt are not well-affectioned to his service. Upon these reasons, and finding it strange that we hear nothing from you, we have thought good to second our former letters, and therefore do pray and require you, as you tender the good of your country, in whose preservation you, your wives and children, do hold so great an interest, to employ your best endeavours for the speedy return of this contribution, the which, the more freely it shall proceed from you, the more acceptable it will be to his Majesty, and the more advantageous for his service." *Eleven signatures, all in one hand.* 1½ *pp.*

THOMAS, BISHOP OF PETERBOROUGH, to WILLIAM MOUNTAGUE.

1615, June 17. Peterborough.—The bearer, Mr. Anstie, parson of Little Okley, prays you to lend him some money to discharge his debts, which he will repay "out of the rents which you are to pay unto him by virtue of a lease of his parsonage, which he passed unto you. . . . I take him to be an honest man, and therefore do hope that he will deal justly with you. Besides, I do presume that you have a good pennyworth of the tithes, and if he were given to wrangling, as too many are, I doubt he might avoid the lease so made, which I hope he will never do. . . . I pray you, Sir, let him fare the better at my request." 1 *p.*

SIR FRANCIS FANE* to [SIR EDWARD MONTAGUE?]

1615, December 16. Apethorpe.—"I had sooner sent unto you, but that I heard you were from home, although you deserve as great a neglect for failing your own appointed meeting, where I had not been, but that I found myself tied in promise to you. Concerning the Lord's letters,† I can say no more than I wrote unto you in my last. That course which I resolved to take with the woods (before I saw those letters) being honest, fit and warrantable, I purpose to prosecute, not doubting but to justify myself, and keep all those from blame that shall show themselves my friends in the business. I know not how to advise you in the return of your answer; your own experience is great, but if it please you to afford me a sight of your letters before you send them, I shall take it for an especial kindness." 1 *p.*

SIR CHARLES MOUNTAGU to his brother, SIR EDWARD MOUNTAGU.

1616, Dec. 10. Lumberd Street.—I thank you for the catskins. I have had them dressed, and hope they may relieve the pain in my arm. If your letter had come earlier I could have shown it to my brother, as we both dined at my Uncle Roger's, but he shall see it ere long. I have sent you an account of your moneys, as far as I remember, but "in truth my lord Bishop's businesses hath quite put my own out of my head. . . . For Calcut [Caldecot] I did imagine you would have the rent, but I hope you will allow me one 10*l.* for my buildings there and passing the assurance, which is not what they cost, besides a hundred marks at least that the tenant hath bestowed there. You may well do it, for it is the convenientest and profitablest purchase you made a great while. Here is not any news. My Lady Harington went away yesterday and purposes to go by Parris to Hedelbergh. She hath given much here, and gone with a great charge." My wife sends my sister a sugarloaf, to begin the New Year with. 1 *p.*

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* Afterwards Earl of Westmorland.

† Possibly that from the Lord Treasurer mentioned in the Earl of Exeter's letter of November 30. *See* Report on the Buccleuch MSS., Vol. I, p. 247.

Sir Charles Mountagu.

1616, Dec. 14, and 1616[-7], Jan. 3.—Two several receipts for 80*l.* from Francis Zachary, for the use of Sir Edward Mountagu. Signed by Charles Mountagu.

Sir Charles Mountagu to his brother, Sir Edward Mountagu, at Boughton.

1616[-7], Jan. 8. Lumberd Street.—"It's well you have gotten your thief, I see no great good the saving of them does, specially after they have been in the gaol. I think you have made a great bargain for your wool." The old Merchant Adventurers have their patent restored to them again, with liberty to trade all white cloth. Your butcher has paid me 80*l.* more for you. "He complains of much loss, but I cannot see how, for we pay 3*s.* a stone for beef, which hath hardly been ever so dear. On Sunday my Lord Villiers was made Earl of Buckingham, and now the King is gone out of the town, but the Bishop stays behind, and this day I will deliver him your letter. I will send to Sir Wolston Dixe again. I will let my cousin Palmer know your mind. The Bishop makes account to carry with him to Scotland as much money as you say and I think he will save none of it." My wife's and my hearty love to my sister and you.

Postscript.—"There is no remedy but I must now be a Justice of Peace in Surrey and Hampshire. I would you would give me some instructions, but I intend to labour but upon four statutes." *Seal with device.* 1 *p.*

Sir William Tate to Sir Edward Mountague.

[1617,] Feb. 27.—Casting mine eye upon the copy you took hence with you, and disliking thereof, I scribbled another, which Greene hath to deliver you herewith. It is in your election to take one or leave both, but when you are assembled and have concluded of your resolution, I think you shall not need to post it up, but you may well suffer it to attend some fit opportunity.

"The Lord Chancellor hath been sick these four or five days, and Sir Francis Bacon ready for his place. The gaining of his Earldom* will be the loss of the Great Seal. The Lord Garrett hath gone betwixt his son and the President's place of Wales, both which encounters are able to make a young man sick at the stomach.

"On Friday next the late Lord Coke† must attend the Lords, from whence it is not expected that he will not come off fair. His late breach with one grand favourite ‡ for his brother's marriage with one of his daughters will turn him to no good. Here are

* Lord Chancellor Ellesmere was to have been created Earl of Cambridge, but died in March.

† *i.e.* late Lord Chief Justice.

‡ The Earl of Buckingham. Sir John Villiers married Frances Coke much against her own and her mother's wishes.

every day pretty passages, such as former times would have admired, but now are not wonderful. The Duke of Savoy is prosperous against the Spaniard and is marching towards Mellan [Milan]. France is in motion, but as yet no certain news from thence. I will conclude with my thanks for your love to my boy, which I take in so kind part that whilst I live you shall command me. And very shortly I intend to send him thither. I pray God make you happy in your hopes and in the increase of more. My wife commendeth her love to you and your lady, to whom I desire my service may be remembered."

Seal with crest. 1 *p.* [*For date, compare Calendar of S. P. Dom. James I,* 1611-1618, *p.* 436.]

JOHN WILLIAMS, parson of Walgrave, to SIR EDWARD MONTAGUE, K.B., at Barnwell.

1618, July 25. Walgrave.—I hear from Kettering that sundry inhabitants of Grafton Underwood are to be examined by your worship "concerning some words I should utter which might touch yourself the last Sabbath, whereby I perceive that this tumultuous and schismatical constable, as he was false in his suggestions to procure his warrant and most boisterously indiscreet in the execution of the same . . . so hath he closed up all with falsehoods and lies, because I advised him only to forbear the raising of those tumults until he found some occasion offered to put his warrants in practice. Now, that I spoke but all goodness and respect of your worthy self, . . . I appeal to the fellow's conscience, and to the witnesses that heard my words. . . . I took indeed a copy of the warrant, because I did conceive it to be somewhat opposite to the meaning of his Majesty's declaration, and—being so roughly executed in mine own presence, having preached in the church in the morning and appointed to do the like in the afternoon—because it might hereafter be fathered upon me as either granter or procurer thereof, which I (being a poor servant of his Majesty) dare not avouch for the meaning of his declaration, until his most excellent wisdom shall further express itself therein. . . . Thus much by way of apology for any respect of your worship. But for the matter itself, which is the disadvising of an undiscreet constable in the presence of a justice from abusing authority entrusted unto him, and maintaining saucily—

1. That the King's declaration was a bolstering up of sin and breach of the sabbath.

2. That his Majesty therefore ought to be prayed for, that God would give him an understanding heart.

3. That the observation of the sabbath in religious worship must be continued for twenty-four hours.

4. That he and such as he can keep the sabbath thus, when they are fast asleep; and the like—

This I say I will maintain and justify in any place of judicature in England."* 1 *p.*

Overleaf.—Draft by Montagu of his reply, requesting Dr. Williams to give Sir Thos. Brooke and himself meeting at Boughton on the following Friday, when the constable of Grafton Underwood shall be appointed to attend.†

——— to [Sir Edward Montague].

[1618?]—"The old saying is *Longa sunt regibis aures*, and therefore I conceive that nothing can be concealed from you which is machinated against you in these parts. Yet notwithstanding, my duty wherewith I am obliged to your worship, and my sincere affection, whereby I am jealous to have your honour impeached, hath enforced me to certify what I hear, lest otherwise I might be defective towards you, if haply (which I do not imagine) you should have no premonition. Since my being with you, I understand that your opposite hath acquainted the King with the business, hath made the whole Council, man by man, for him, and that it shall be brought to the Council Board. That in the country the Lord Spencer, Sir Arthur Thockmorton, and all the great ones on that side the country are wholly his. That, at the sessions, the matter will be handled, and you like to be foiled. A great argument against you is *argumentum a pari*. If other Justices had intermeddled at a feast at Barnwell to send a warrant of like nature thither, where Sir Edward Mountagu did reside, would it not have been an indignity unto him, and taxation of his discretion. *Ergo e converso*.

"Further, whereas by the book, 'every person is to resort to his own parish church and each parish by itself to use recreations,' the book doth not intend that no particular person shall be absent from his own church (for the law doth allow it so that he resort to divine service where he is) and that where he is at church, he is for that day as of that parish, to take his recreation there. *Ergo*, no offence committed by them of out towns.

"I doubt not but you have expected the onset, and therefore accordingly prepared yourself for the combat, wherein I wish you all good success, yet I held myself bound by these few lines, as the geese by their gagling which kept the Capitol, to awaken you if haply you might slumber—which I do not think—that you might look out and discover. 1 *p.*

Sir Lewis Watson to his cousin, Sir Edward Mountague, K.B., at Boughton.

1619, April 21. London.—"When I came to the town, and heard how my Lord had poured himself out upon Sir Richard Cecil, I did hope the storm might be well over, but when I came I found it not so. I had likewise my part, and I persuade myself you will not scape, if it be not the longer ere you see him,

* This and the following letter relate to the *Declaration of Sports*.

† *See* Report on the Buccleuch MSS., Vol. 1, p. 254.

and so it come to be forgotten. I believe somebody had done our errands before, or else, methinks, this occasion alone should not so far move him. I have had another bout with Sir Sidney and Sir Charles, and Sir Sidney is now content to begin the payment after eight years, and so to continue during the life of Charles. But I answer, you will not agree to that, as I think you have good reason. Wherefore I would propose another way: that Sir Charles his life should be bought out, and the money to be equally paid him between Sir Sidney and yourself at such times as may be reasonably fit. . . . We have been so long about this business that I have no time left me now to write you news as I would. You shall hear nothing this term of the great business in the Star Chamber;* they will scarce be ready for the next term. The King is pretty well recovered, and came last night to Ware, so to Tiballes [Theobalds] during pleasure. The gout is gotten into one of his knees, which makes him be carried all the way in a chair. The States [Commissioners] go away without doing anything, which most are glad of; they would tie the King to such hard conditions."†

Endorsed by Sir Edward:—"My answer to Sir Lewis Watson to send to the Lord Chancellor's court. 24th April, 1619."

Seal with crest. 1½ *pp.*

Sir Lewis Watson to his cousin, Sir Edward Mountagu, K.B., at Boughton.

[1619, May, about the 5th.]—"I did not write to you the last week, because I had not brought my endeavours to so good pass as now I hope they are (I mean with your brother Sir Sidney) yet I must tell you that I had brought the ends so near together that I thought I see (*sic*) them touch; because I did never so much as suspect that he would stand upon those leases which he had made himself. But it fell out otherwise, which was the cause of our breaking off at that time, as (I think) Sir Charles writ unto you. I must confess I began to despair; I found him so resolute." But the next day I tried him once again by myself, and I think it will come to this, that my Uncle William must be the man to settle about the leases, and that the rest will be ordered after my last proposition. If this hold on, I advise you to withdraw your bill. I hope to see you next week. "The King doth recover his strength every day better. The Ambassador for France‡ is come: a very brave gentleman, and hath been received with that state as never yet I see any from thence. My Lord of Southampton was sworn a Councillor on Friday last. The King cometh to Whitehall on Friday next, and next day to Greenwich. It was expected that the Master of the Wards should have been also a Councillor, but I rather think you will hear some other news shortly." 1 *p.*

* Against the late Lord Treasurer Suffolk.

† This report proved untrue. A treaty was arranged, and signed on June 2.

‡ Marquis de Tremouilles.

THE KING to the RANGER OF ROCKINGHAM FOREST or his deputy.

1619, December 9. Court at Newmarket.—Order to kill five brace of fat does of this season, to be delivered to the clerk of the kitchen at Whitehall, one half upon Christmas Eve and the other half upon New Year's Eve. *Sign manual.* ¼ *p.*

SIR FRANCIS FANE to [SIR EDWARD MONTAGUE?].

1619, December 15. Sewthay Lodge.—Stating that he will not fail to deliver a leash of does (which is more than the due proportion for Moorehay) at the Court on New Year's Eve, although he fears they will not be so fine as those which he presented to his Majesty when he was last at Finchingbrooke [Hinchinbrook]. ¾ *p.*

THE COUNCIL to the HIGH SHERIFF AND JUSTICES of co. Northampton.

1619[-20], January 26. Whitehall.—Ordering them, in consideration of the low price of corn and consequent loss to the farmers, to provide a magazine for the storage of grain "according to the use and practice of all politic and well ordered states, at such rates and prices as may best serve, as well for the comfort and encouragement of the farmers now in time of plenty as for the relief of the country upon all occasions of scarcity," the charge thereof to be laid upon the county in such manner as they shall think most fit. *Thirteen signatures, all in one hand.* 1 *p.*

NEWS LETTER FROM VIENNA.

[1620, September.*]—"A letter worthy the overlooking, from a gentleman in Vienna attending on Sir Henry Wotton, Lord Ambassador to the Emperor, and sent to his brother-in-law, in London."—

"Loving brother, your manifold kindnesses and extended love have so far engaged me as that I know no better way how to cancel the obligation and requite your courtesy than by relating unto you such things as have chanced to me in my last voyage into Germany, which, as they were worthy my observation, so I think them not unbefitting your overlooking.

"I will overpass the great entertainment my lord ambassador received of the Duke of Lorraine, the Archduke Leopaldus in Else[Alsace], the state of Strasburg, the state of Ulms, the state of Augusta or Auspurge, the state of Regenspurge, with their several presents given to his Lordship in his passage through Germany, unto which several estates by his Majesty's special command and

* The writer does not know of the departure of the King of Bohemia for his army, Sept 18, O.S. [*see* Nethersole's despatch of $\frac{2}{2}\frac{\text{Sept.}}{\text{Oct.}}$ S. P. Germany], and the letter must have been written before Dampiere's death, September 29; O.S. [*see* paper sent by Wotton, dated $\frac{4}{14}$ Oct., S. P. Germany] probably immediately after the writer's return to Vienna on Sept. 22, O.S.

authorized commission he addressed himself, and only speak of such things as are of importance to the most spectators of Christendom and even set on work the lavish tongues of England, as men are either transported with passion or partiality; but there is but one truth, and as near as I can I thus will set it upright upon her best feet. His Imperial Majesty, after noble admonition, many ceremonies and divers passages of state, gave my lord at his own charges such entertainment as might as well befit a King as a King's ambassador, both for his lodging, diet, and officers to attend him, who were more in number than his own followers. Concerning his business, his Imperial Majesty seemeth to embrace the King our master's proposes of peace, and hath answered all his articles like himself, but what they are I may not understand, and if I did, I must not discover, only I am sure that the Emperor hath denied either truce or cessation of war, as presuming that he hath the better of the cause and the hope of the conquest; for the cause, in regard the Hungarians and Bohemians have proved rebels unto him, and the Count Palatine did ill to take upon him this unjustifiable business; for the conquest, he hath the greater armies in the field, and the more powerful friends to assist him, and in truth, all the glory of the Imperial Court is in the multitude of his soldiers, which notwithstanding is by nomination double the value they are in deed. But because you shall not be carried away with supposes or vapourous reports, I will, as near as I can, set you down the catalogue of his armies as they are now dispersed in the empire.

"First you have Don Lewis de Velasco by Wesell with seven or eight thousand, all under the king of Spain's pay when they have pay, for, for want of pay however, it comes about the Italians and mercenary strangers run away by thirty and forty at once, and are either entertained by the Prince of Orange or permitted to pass without interruption where they please. The second army is raised by the Duke of Saxonie, who would have as good an army as the best if his subjects were as conformable, or that they knew what to do with them, or how to employ them, his country lying so remote, yet some have said he hath sixteen thousand, and is marched with them into Lusatia, but because of the improbability of that, I will let both him and his forces quite alone. The third army is under the Marquess Spinola, at the charges of the nobility of Burgundy and the provinces under the archduke, consisting of a regiment of Wallons, two regiments of Spaniards, one of Germans, another of Reytors [Reiter?] and two of Burgonions, in all between eighteen and twenty thousand, and now divided into two parts, as having eight thousand in a league well fortified in the Bishopric of Ments, and twelve thousand in the Palatinate. Fourthly, the Duke of Bavane [Bavaria] hath sixteen thousand at the charge of the Catholic league, but in truth he knows not how many he hath, he hath had such great losses, and been subject to many defeatures against all expectation. But still he re-inforceth his companies, as loving the emperor merely for superstition's sake, for of all the Princes in the world there are not

two such for zeal and devotion in their religion, which makes them dote on the Jesuits as sanctified creatures, and the Jesuits to adore them as pious princes. The fifth army is under Don Balthaser, a Spaniard, general of the Neopolitan, Milaneses and Italian forces which were first entertained by the Emperor Mathias, and now keep the Golden Straits by Budwis and Crumwey [Krumau] between five or six thousand. The sixth in number belongs to Count Buckquoy, between ten and eleven thousand, still the King of Spain's General over the Netherlanders, and had his quarter at Crembs, Langueth and Steyne, upon the frontiers of Bohemia, but of late he hath been so pressed and over pressed that he was compelled to let go his hold and leave his footing. I name not Poland, who would come out of his country if he could, but in truth the Hungarians find him work enough, and the Turke hath threatened him of late, so that they were half afraid of his coming. The seventh army is under Count Dumpiers [Dampierre], who is general of the Imperial forces, and had eight thousand, but by chance, or rather good fortune, he hath lost them all except six hundred, and some sick and hurt men. He arrived with the said [sad?] news thereof at the Imperial Court the 3rd of your September in Vienna, there to make relation to his Imperial Majesty that all majesty on earth is subject to a majesty in heaven. He hath since received a new commission to reinforce his broken army and so to march towards Hungary to hinder the proceeding of the newly-elected King, Bethlem Gabor, Prince of Transilvania.

"But it is supposed, and very probable, that his force is too weak to encounter so brave an enemy, who hath already besieged the city of Popo with thirty thousand, which, as it was truly certified by one of my lord's gentlemen that came from those parts, that it would shortly be yielded into his hands, and then there will remain under the Imperial jurisdiction in all Hungary no more towns than Rub [Rab] and Cumore [Komore] which, as it is supposed, will be also shortly yielded into his hands, and he will be master of them both, for which purpose his highness the Prince of Transilvania hath also, by a bridge made of boats over the Danube, transported four thousand men from Presburge out of Hungaria into Austria, to stop the passage between Vienna and Presburge, so that the grasiers of Hungary can no more maintain their market at Vienna, which hath already bred a dearth of beef and mutton in the lower Austria, yea it is much feared that the Prince of Transilvania, before many months be past, intendeth to besiege Vienna, and that upon two special motives. The first concerneth the Emperor, because he hath infringed the contracts between them, and besides the general opposition to his religion, hath broken promise with him to make a particular breach of their amity. The second concerneth the King of Bohemia, because there is a very sympathy of love between them, more than a princely combination, as if nature taught them a way to love one another's person, for besides

many former letters of reciprocal gravity, the Prince of Transilvania hath newly written unto him, with terms of brother, gossip, associate, fellow in arms, and above all that they will be champions of Christ, and live and die together in the defence of true religion.

"Now if he should besiege Vienna indeed, the success is not like to be the worse, by reason of the abundance of Protestants in the same. Myself, with some of my lord's gentlemen, upon the third of your September rode for to see their congregations, which (for all the Emperor's cruelty in other parts and Jesuits' tyrannous Inquisition) was held to sanctify the Sabbath at a strong castle of a nobleman's, within a mile and half of Vienna, where we went and heard a sermon, though we understood not much of it. When the solemnity was ended, we did our best to know the number of the people, and we told seven or eight thousand (*sic*), but the men pressed so fast that we were not able to go forward in our account. There were also fifty-three coaches, who were all fraught with men and women of special fame and quality. We, out of wonder to see so great a company at one congregation and assembly (considering so many severe edicts published and printed through Europe in the Emperor's names against all Protestants, and his protestation which he hath made to lose his crown before he will yield to a toleration of religion) desired to know of them whether all the Protestants of the town were there, who answered, not by many thousands, for the preachers so ordered the matter that not above two of the greatest family came forth at once through all the great city.

"Now to return to the King of Bohemia. He hath likewise several armies in the field, several friends and several generals. The first is the Prince of Anhalte, the second the Earl of Mansfeild, the third the Earl of Tourne [Thurn]; who have under them fifty thousand men in several quarters, whereby they have so well demeaned themselves, and wherewith so well withstood their enemies, that the Emperor hath no cause to boast of his summer's work, for his forces hitherto have done nothing but received loss, and it is very likely that if the Transilvanian Prince do join once with the King of Bohemia, they will surely put the Emperor to a sore plunge, for story doth not acquaint us with such a formidable division again, and I believe it is a secret locked up in the treasury of heaven to know or discover what will be the issue of these terrors and threatenings of all sides.

"Yet I must needs say that business is not so well managed, nor are things so orderly done in the Palatinate as they might have been, for the Marquess Spinola hath much deceived the expectation of the Princes of the Union, by giving it out he meant no harm to the Palatinate, but to go directly from Francford [Frankfurt am Main] to Bohemia, which the Princes of the Union sought only to prevent, and so out of the credulity of those promises, and some letters from the greatest princes of Europe to the same purpose, they either slighted the fortifying of the Palatinate or neglected the stopping of the passages.

"Whereupon, the Marquess Spinola, taking the advantage of such an opportunity, and exasperated at the repulse of Franckford, who not only rejected his letters and protestations, but countermanded the intercession of the Bishop of Mentz and Tryers [Treves] for his admission, wrecked his anger upon this plentiful country, and resolved to do something worthy the great report that went on him. This made him leave a leaguer well fortified and trenched by Mentz and build a sconce in the corner to command all the three rivers, or passages of the Mosell and Rhene, so that none could come either backward or forward without notice to the courts of guard, who had authority over all the boats within a great circuit. Here he left eight thousand men and eight cannons, presuming they were thus strong enough for all the country, considering how the Germans were employed, and his own partakers dispersed, so he took no more with him but twelve thousand men and six cannons, projecting with ostentous (*sic*) bravery that though the Princes of the Union might be thirty thousand, yet they were raw soldiers and heavy headed Dutch, never valiant but in their drunkenness and, too, too timorous upon the least discomfiture.

"With these he entrenched himself some eight or nine mile within the Palatinate (for I insist not on topographical nicety, whose land, whose country, whose towns they are), and fortified his camp anew, marching directly to Crusenach [Kreuznach] with some nine thousand men, where he sounded a parley at their very gates and demanded the keys of the town in the Emperor's name, which was at first denied by the burgers, but afterwards being threatened with Spinola's ordnance and seeing no succour nor relief towards, and knowing their own weakness and insufficiency, upon better consideration they delivered him the town, whereupon he cast down those former trenches in the Palatinate and gathered all his forces together to Cusnach, (*sic*) fortifying that place, and leaving a strong garrison in it. From thence he went directly and marched with his whole troops to the town of Alsome or Attzey [Altheim or Alzei], where he likewise demanded the keys as he did before, which upon like denial, threatening and better consideration, he received without any more difficulty than the former.

"By this time, the Princes of the Union had drawn down all their forces to Oppemhem [Oppenheim] with resolution to intercept his passage, which Spinola understanding, and well acquainted with their purposes, as well as the quality of their army, he changed his purpose and marched towards Wormes, whereof when the Princes knew the certainty, they likewise marched thither with their whole troops, hoping to meet with Spinola by one means or other. But he, who had rather win a town than give a battle, as chary of his men in an enemy's country, very slyly diverted his course, and that night, though with industrious patience, marched back again, in the Princes' absence, to Oppenhem, and set down his army before it,

demanding the keys also in the Emperor's name. The town desired twenty-four hours' pause, but the Marquess answered he would not give them one, nor longer time than he might mount his ordnance and discharge them upon them; whereupon they, fearing his threats, and knowing the Princes of the Union could not return in time to their recovery, delivered the keys, submitted themselves, and he took possession of the place.*

"Here he found great store of provision of corn, wine, oil, and other victuals, wherewith he was not fully satisfied, but sent directly to the adjoining villages, commanding oats, hay and other provision, both for men and horse, otherwise he threatened to fire them all, and put the obstinate to the sword. They having heard of the Spaniards' cruelty and now subject to a present, irrecoverable misfortune, supplied him with such a quantity that it is verily supposed he hath sufficient all this winter, what course soever he take.

"The Princes by this way deceived and every way disappointed, knew not what to say nor on whom to complain, but settled themselves within five miles of Wormes, towards Oppenhem, down the river, and within five mile of Spinola's trenches, so that the sentinels and scout masters of either side are in speech one with the other.

"Now, by the way, you must consider that though these towns of the Palatinate have gates and ditches, yet they want walls and fortifications sufficient to hold out either siege or battery, except it be in some special places, and upon some special occasion, so that they must either meet the enemy in the open field or intercept him in the straiter passages, all which neglected at this time, emboldened Spinola to take the advantage, and for all the given out promises and mental protestations, he would not lose this opportunity, nor refuse such blessings as fortune seemed to pour upon him.

"By this time, that is to say the 15th of your September, the Grave Henrick of Nassau, with my lord General Vere, and the Earls of Oxford and Essex, came into the country, and were to pass the river of Mosell about the city of Coblenns [Coblentz] some forty mile short of Oppenhem, but could hardly get boats, and were somewhat troubled with the report of Spinola's camp and fort by Mentz, though their forces consist of two thousand five hundred horse, six thousand Dutch foot coming still unto them in their passage, for he had not eight hundred from the Prince of Orange, and two thousand four hundred English. They lodged that night at a town called Semerene,† where I left them to take their passage, and went directly to Hidelberge and so to Vienna to certify my lord ambassador what I had been acquainted with. Yet some report that after General Vere was fully made to understand how Spinola's forces were divided, and how he had demeaned himself in the country, he persuaded Grave Henricke to set upon Cusenach, which must

* Kreuznach surrendered on August 31, Oppenheim on September 4, old style.
† Simmeren? But if so, they had crossed the river.

needs draw some of Spinola's forces thither, and needs put them to a work of some employment. This was so well apprehended and expeditely performed that Grave Henricke presently placed two thousand horse as an ambuscado in an adjoining wood, while General Vere and the English marched bravely forward, and with a wish encountered with the enemy, and so the skirmish began, in the midst whereof Grave Henricke issued with his horse, whereby the enemy was inclosed, which suddenness so amazed them that they thought to save themselves by flight, but, overtaken with the horse, left two thousand dead upon the ground, and Grave Henricke lost five hundred men in the bickering, yet some say not so many, by reason the Spaniard came upon a sudden on the English as they lay at musket rest in their trenches. Some again deny this skirmish, saying plainly that General Vere came not over the river, as knowing the danger of the fort and the manner of excursions which might easily be made out of Spinola's camp by Mentz, and so they took the way by Franckford to come by that passage into the Palatinate, and so join themselves to the Princes of the Union. I write unto you this only by hearsay, for it was the 22nd of September, the day after I came from Heidelbergh to Vienna ere we knew of it, and therefore take it not from me as a certainty, only this we know, that General Vere, upon opportunity or good occasion, will put Spinola to it to cry quittance with him for all his treacheries. To this I add that after the Spanish camp lying by Mentz understood how their affairs prospered and thrived in the Palatinate, they likewise determined to do something befitting soldiers and their employment, and so, as if they knew that Spinola had done nothing but by the secret settled commission, nor they could do nothing but should be acceptable enough, both to the Emperor and the King of Spain, they issued one night with a convenient company upon the town of Buchrag, which was in a manner a staple for Rhenish wine, and so surprised the place, and took away all provisions whatsoever. All this while I write you nothing of the Prince of Orange's camp by Wesell,—so fortified, trenched, cabined and well ordered as if he resolved to winter there, for all the passages have strong sconces, and the cabins are covered with deal boards and every quarter is supplied with merchandise, provision and other commodities, — because [he] is nearer to you than to us; besides, posts and letters come daily, especially ambassadors' letters to his Majesty, and many private ones (as mine is) to particular friends. Only we hear of solemn fasts amongst all the protestants of Christendom, especially Geneva and the Low Countries, who are resolved to keep their words, and not to break their truce with the Archduke except they be enforced. I pray God they be not deceived with Spanish policies and their own too much confidence, for although the Princes of the Union could say that Spinola was neither to be suffered to plant himself in the Palatinate nor let so to depart unfought withal with the 'joylitie' of what he had done, yet for anything I see, they have not only been deceived by him, but are discontented amongst themselves to see him so prevail, and know not well which way to remove him.

"To conclude, the nearest of the Emperor's army, which is Don Balthaser, lying by Budwis in the Golden Straits, is a hundred and fifty mile from Prague, where the king of Bohemia keeps his court so magnificently that men wonder at the same, and so beloved that, as the people answered David, they will not suffer him to go in person into the field, and the furthest of the King of Bohemia's forces are from the Emperor's not above fifty English mile, yea some of them within twenty mile of Vienna, for they forage all the country, many times come to the very gates of the city, the suburbs lying pulled in pieces, and the villages wasted very near eight miles round about." $16\frac{1}{2}$ *small pages.*

FRANCIS, LORD VERULAM, Chancellor, to ————

1620, December 16. York House.—"Whereas by an order made the 16th of May last, certain differences between Sir Edward Montague, Sir Charles Montague and Sir Sydney Montague were referred unto you, to be ended by a friendly and amicable treaty of friends, rather than to be proceeded in in a judicial course, I have thought good to write these my letters unto you, praying you to certify me what you have done upon the said reference, that I may give such further direction therein as upon your certificate I shall find cause." *Copy.* $\frac{1}{2}$ *p.*

LIONEL, LORD CRANFIELD, to LORD MONTAGU.

1622, May 24. Chelsey.—When I gave a warrant for felling the trees granted by his Majesty to Sir Francis Fane in Rockingham Forest,* I did not know that your Lordship was his Majesty's officer there, or I should have made special choice of you by name and entreated your help, as I now do, begging you to choose the sort of trees to be felled and the places where they shall be taken and to that end authorizing you as a special Commissioner added to those in my former warrant. *Signed.* 1 *p.*

JOHN, BISHOP OF LINCOLN [Lord Keeper] to [THE JUDGES].

1622, August 2. Westminster College.—Ordering the release of imprisoned Papists and Recusants. *Copy.* [*Calendared under this date. S. P. Dom. James I., Vol. CXXXII., No.* 84.] $\frac{1}{2}$ *p.*

ARCHBISHOP OF CANTERBURY to the KING.

[1623, July.]—Letter, purporting to be from Archbishop Abbot to the King, concerning toleration to the Roman Catholics and Prince Charles' visit to Spain. This copy is endorsed by Lord Montague "The Lord of Canterbury's letter to King James; quere of the truth.' [*Printed in* Cabala, *Part I., p.* 108, *and calendared S. P. Dom. James I. under date* [*August* 8 ?], *but Mr. S. R. Gardiner shows that it must have been written in July.*] $\frac{3}{4}$ *p.*

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* See Report on the Buccleuch MSS., Vol. I. p. 256.

Robert Tanfeilde to Edward, Lord Mountague, at Boughton.

1623, October 6. Temple.—"The reports heretofore have been so uncertain, that a little changing the old proverb, I had need to say *Quod non video, non credo.* I will therefore presume to let your Lordship know so much of the London news as hath been obvious to my senses. If we may believe bonfires, bells, or the reports of the Tower ordnance, I may then confidently report the Prince is safely landed. This morning the streets were so stuffed with fires as that betwixt Whitehall and Temple Barre my man told three hundred and odd, and at Whitehall, Northampton House, Yorke House and Somersett House there is hogsheads of wine set forth into the street. Thus having related the matters in fact, I leave it to your Lordship to conjecture what you please. The report goeth at Whitehall that the Prince lodged last night at Gilford, and will be this day at Yorke House." *Postscript.* "Since the writing of my letter, the Prince is certainly come to Yorke House, whither the noblemen and judges that are in town resort to congratulate his coming." 1 *p.*

Edward, Lord Montague, to Robert Tanfield.

[1623, October.]—"I thank you for your good news of the Prince's safe arrival, but we had it in the country on Monday. There was never so great cause of joy as his safe return, all things considered. God make us thankful for it. I hope now the term is come, you will get out of closet to think of your friend's business. For the Chancery matter, I leave that to my brother Sir Charles his following. I am afraid the day will hardly hold, it is so near the 5th of November.

"For the Star Chamber, I stay now till I see how things will settle. For the Exchequer, it seems my brother will proceed, for I hear he hath sent to some of the jury for their appearance, and hath served some of the witnesses in Brigstock with subpœnas. Methinks if he and his counsel would so agree, it were as good to get an order that the depositions already taken might be as well used at the trial as it is formerly ordered in the Exchequer Chamber suit. There is no other writs to be served. It would both save charges and be a great ease to the poor men, especially if the jury should not appear. And therefore, if you think it may be done, and that they will consent unto it, I would such a motion might be made. If not, then I must send up the names of my witnesses to have process for them. Those whom my brother hath already served are those that I must use, which I think I may serve when they come at London. I pray, if you can, let me hear from you, that accordingly I may take order. *Written on the back of Tanfield's letter.* 1 *p.*

Robert, Lord Spencer to his cousin [Lord Montague].

1623[-4], January 7. Allthrop.—"I must still continue a challenge of a promise for my cousin Knightley as well as for my

son, and I wonder that your Lordship would not weigh both the gentlemen, being both your kinsmen, with more judicious balance, for no man that knoweth them both but will say my cousin Knightley to be the far more fitter man for that place than the other. Your Lordship I hope will call into your considerations that the Papists will work hard this Parliament, and they must do it by such friends as favour them, it [yet?] come to church, for by apparent recusants they cannot. Now, my good Lord, I pray you to persuade so far with your cousin Watsonn, whom I think the unfittest of any on that part of the shire, as we may have peace and amity, for assure your good Lordship the opposition will be great, for we on this part will not sit down, except you can enforce us to lie down. Now for your new erected custom, I pray your Lordship remember how long Sir Christopher Hatton and Sir Walter Mildmay had it, and whether Sir Christopher Hatton might not be as well accounted of the east division as well as the west, considering his lands in that part and his house at Kerbey. But what do I speak of divisions; there was none in those times. After Sir Christopher Hatton was Lord Chancellor, did not Sir Thomas Cecill come in his place, and where did he dwell? If you had nominated either Sir John Pickering, Sir Thomas Tresham, or Sir John Isham, if I had not pitched hard upon my cousin Knightley for his abilities and fitness for the place, and not merely for kindred as your Lordship doth, much might have been said. I have written plainly and truly my mind, and I hope your second thoughts will bring you about."*

Postscript. "If this close combining of Sir Francis Fanne and you in this business can make you perfect friends, I should much rejoice at it." 1 *p.*

Lord Treasurer Middlesex.

1624, May 11.—Statement by the Earls of Southampton and Essex, Lord Say and Seale, Thos. Lord Cromwell, and the Bishops of Lichfield and Bangor, concerning the Lord Treasurer's complaints of his treatment during his trial. *Copy. Endorsed by Lord Montagu,* "Lord Treasurer, when divers Lords were sent to him from the Higher House." [*Calendared in S. P. Dom, James I. under this date*]. 1 *p.*

The Council to Lord Mountague.

1624, June 17. The Court.—Advertising him that the first subsidy due by him according to the Parliament grant of 19th February last amounts to 30*l.*, and requesting that it may be paid to Walter James, collector, at the College of Westminster, before the 10th of July, that payment thereof may be made to the Treasurers specially appointed by Parliament to receive the same. *Signed by Lord Keeper Williams, the Marquis of Hamilton, the Earls of Worcester, Arundel and Pembroke and Viscount Mandeville.* ¾ *p.*

* Compare letters in the Report on the Buccleuch MSS., Vol. I., pp. 258, 259.

Sir Thomas Brudenell to Lord [Montagu].

1624[5], January 3. Deene.—Requesting that Chas: Desborow may succeed Thos. Maydwell of Geddington as collector of the fifteenths, and stating that he should have waited on his Lordship, but that he and Lewis Watson "so far break the bonds of housekeepers as to visit my Lord of Rutland and my Lord Willoughby at Belvoir this night or tomorrow morning." 1 *p.*

Condition of the Farmers in co. Northampton.

[*Temp.* James I.]—"A note of divers reasons of the scarcity and plenty of several commodious things ensuing." The chief points stated by the writer are :—

1. The chief cause of the want of money is that we have no gold or silver mines, nor has any quantity of silver been coined in the mint these last ten years, although at the end of the Queen's reign, of happy memory, and at the beginning of his Majesty's, great store of bullion was yearly coined. Moreover the East India and Dutch merchants carry away all the Spanish silver and much English money "to buy their commodities in those places."

2. There is much waste of coin by the great store of plate now made. In times past "there were none served all in plate but the prince, but now many mean men must be served all in plate . . . . and the people in most degrees do exceed their bands as well in that as in pride with so many fashions and outlandish commodities that consume much of the coin of this kingdom." It is confessed that the East Indian merchants bring in many commodities, but with the loss of many seafaring men, and at dearer rates than those formerly charged by strangers.

3. Great waste of coin by making gold and silver lace and gilding "swords, daggers, coaches and such like vain things that might well be spared."

4. Another reason of the waste of money is the plantation in Ireland, many having sold their livings in England and carried their money into Ireland, besides the treasure used to pay the Lord Deputy and army there, "which the revenue of that country will not as yet serve to do. And no doubt there goeth yearly more money out of England into Scotland than cometh out of Scotland into England."

"A principal cause of impoverishing the husbandman and farmer in the county of Northampton."

1. The ground being in common fields "no man can truly be master of his own, but one man oppresseth another, either by ploughing or by his cattle. For the farmer in the said common fields are in their kind as covetous as the encloser, for as the encloser desireth nothing but grass in his grounds, so the ploughman or farmer desireth nothing but corn in the field. For the

farmer, without respect of his neighbour or the poor cottier that have nothing but his common, he will plough up all the greensward and common grounds, ridge ways, hadens,* and balkes *and lands ends, so that in most towns, where there is not a good lord of the manor, in all their champion fields the common and greensward ground for the impasturing of cattle is utterly made naught, and worth little. By which means upon every hasty rain or flood the said common fields are overflowed with filthy gravel and grit, so that the poor cows and sheep, by reason of their continual hunger, do take by their bad 'bitt' and food the rot and murrain, so that the farmer is utterly undone by the death of his cattle. Neither hath the farmer any wisdom to see his own imperfections, considering he payeth yearly for the ground he holdeth three times the rent his predecessors before him paid." And when his cattle are perished, he is driven, to "compass" his ground and clothe his family, to buy sheep "for a year's day, some two years day or more," and it may chance that the rot comes again before they are paid for. Not having cattle to yield him any money, he must 'fresh' [thrash] out his corn to pay his rents, this being the secondary cause of the cheapness of corn. And the farmers' poverty is the chief cause "of the breaking daily of all other tradesmen," as appeareth in most places at this present time.

"A remedy or help for these discommodities before mentioned."

1. That in every "husband town" in co. Northampton, the farmers may have their greensward ground "by themselves in enclosures"—viz. their meadow or hay ground, and separate grounds for their milch kine, draught beasts and sheep, each farm having its "due quantity of acres laid to the same as it was when it lay all in open fields" with a proportion for the poor cottiers for their cows; the arable land of each farm to lie "in several pieces in the common field" to every man in such manner that no man may encroach on his neighbour. In this way, if a poor man have no cattle of his own, he may let his ground to make up his rent "for as much money as he would do with eating of it himself."

2. By this enclosure he will be able to preserve his meadow from floods by draining it, and to plant great store of willows and other wood, his cattle and sheep will be better kept and so worth more, and whereas most people keep horses for draught beasts they would then keep oxen, "a beast far more profitable to the farmer than the horse, for if the horse die, being full of 'surraunce' there is but 5*s*. for his skin, whereas if the ox be not well, he will be meatable, and so little loss." Also as much corn is wasted in town by mares and foals as would keep the poor in many parishes.

3. There is much need for the county of Northampton to consider their lack of wood, and how the poor people have mostly to go twenty miles to fetch coals "being the fire they altogether

* Ridges separating the common fields.

burn," as also that the coal pits are likely to go to decay for lack of timber to prop the ground, and that the prices of both coal and wood rise yearly, "therefore this county of Northampton had need to look into these particulars and not to say 'why cannot we live as well as our forefathers.' "

Further there is an overplus of people in most towns, and need for any county so overpopulated to have "vent for their people into Virginia, or increase of trades as well in some measure, as the City of London," even if the charges of the people sent away had to be defrayed for them.

Lastly, the increase of the Dutch hoys trading between England and Ireland and the Low Countries is a great hindrance to the poor seafaring men of this country and to the breeding of mariners for his Majesty's shipping or merchant ships. A hoy of a hundred tons can be worked by five men and a boy, while a ship of the same burden needs twenty men, so that the ship is for the defence of the realm and increase of mariners, while the hoy is "for profit only and decay of good shipping," but the English merchant will freight a hoy rather than an English ship from the Low Countries because he thus gets his goods carried more cheaply, although there is a statute forbidding him to do so. Therefore no hoy ought to have "passage without license in the narrow seas, but in the East Channel for the carrying only of coals from Newcastle to London, and that coast with the Low Countries." $12\frac{1}{2}$ *pp.*

Earl of Exeter to Lord [Montagu ?]

1625, October 10. Burghley by Stanford.—Thanking him for a token received, "a favour in due season" being a double obligation; and regretting that he cannot give sufficient thanks for it either in his natural language or in any other which he endeavoured in his youth to attain unto. $\frac{1}{2}$ *p.*

Sir William Spencer to his cousin [Lord Montagu].

[1625 ?] December 22. Althrop.—"There is none that shall be gladder of your favour and well wishes than myself. I was this day a-hunting with my friends, which is the cause your servant stayed so long for this answer, which shall be as freely returned as your Lordship's is nobly sent, which is that for my part I intend not to stir or stand to be knight of the shire if there shall be a parliament. I have had labour and travail enough in that kind, and so much honour from my country that I cannot expect it again, and if they should go about it, I hope I shall have so much power with them as not to think on me for this time. For Sir Lewis Watson, I hold him the fitter because he desires it by your Lordship's means, and I could wish that Sir John Pickering might not be forgot, who, I am sure, is equivalent in merit to the other, and I hope the union shall be ne'er a whit the worse if both be on that side. Thus hoping all bones shall be set to strengthen us that are by birth Northamptonshire men again," I commit you to the protection of the Almighty. 1 *p.*

FRANCES MOUNTAGU to her father, LORD MONTAGU.

[1625 ?*] Thanking him for the "dainty token" sent her by her cousin Paulmere, craving his blessing, and assuring him that she desires nothing more than to please him, and will never willingly displease him.

With postscript saying that her mother sends her dear love and is now beginning (thank God) to walk abroad. 1 *p.*

SIR LEWIS WATSON to EDWARD, LORD MOUNTAGUE.

1625[-6], January 3. Rockingham.—"If this cold morning both of frost and snow did not hinder me (being full of cold already) I would have waited on your Lordship myself. Yesterday my Lord of Westmoreland sent unto me by his servant, young Bellamy, that I would give him meeting at Welldon, where I little thought to have seen such an order as you will perceive by this enclosed, being a copy thereof, which I thought good to send to your Lordship because it may be you have not seen it as yet; the order itself not being sent to Mr. Sheriff sooner than yesterday." I will wait on you as soon as I can go abroad. ½ *p.*

ROBERT, LORD SPENCER to [LORD MONTAGU].

1625[-6], January 6. Allthrop.—"Out of my love to you I thought fit to let you know what I have heard by divers, and this day by some of my neighbours of Northampton, that your Lordship's too much trust is likely to abuse you, for it is confidently reported that Sir Lewis Watson will stand for the first place, which he doth not doubt but to carry by your Lordship's voices. Then shall my Lord of Westmoreland's eldest son come in for the second place, and so carry it by your Lordship's power. So shall you wrong Sir John Pickering, your Lordship's old and faithful friend, and be beaten yourself with your own rod, for prevention whereof, if it please your Lordship, is to let Sir John Pickering have the first place, then are we all secured that Burhershe† cannot come in. Enquire of it, and you shall daily find more, and I should be loath to see your Lordship abused in so high a degree. Mr. Sheriff, my old schoolfellow, Mr. Justice Harvey, my son, and others of the Justices of these parts, will attend your Lordship at Kettering upon Tuesday next, and I pray God direct your hearts for the good of the country." *Seal of arms.* ½ *p.*

Underwritten.—Note by Lord Montague, that he wrote an answer to this which gave full satisfaction, but kept no copy of it.

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* This must have been written between 1621 and 1628, when she married John Manners, afterwards 8th Earl of Rutland. Lady Montagu had a serious illness in 1625, to which this letter perhaps refers.

† Mildmay Fane, Lord Burghersh, son of the 1st Earl of Westmorland.

Sir Lewis Watson to Lord Mountagu.

1625[-6], January 14. Rockingham.—I will not trouble your Lordship with a recital of the passages at Northampton, as I hear that Sir Thos. Brook was to be with you yesterday. "My meaning at this time is a little to give ease unto myself, who am so full of expression toward your Lordship for your loving favour so heartily and earnestly showed towards me, as I want a phrase to signify so much as I would fain have declared. The only failure hath been on their part, which proceeding from their great pride, when 'tis grown to the greatest, perhaps will have a fall, or else the old saying faileth." I hope to wait on you before long. *Seal of arms.* 1 *p.*

King Charles I. to Lord Mountague.

1625-6, January 19. Palace of Westminster.—Summons to attend the coronation. *Sign manual, countersigned by Sir J. Kirkham. Seal of the Royal arms.* 1 *p.*

William Mulsho to his cousin Jo: Cayworth at Boughton.

[1630, January, between 17 and 27.]—My Lord and Lady* are glad that yours are well, and affectionately salute them. Lady Sue had a spice of her old cough last week, and partly that and partly my Lord's desire to repose himself drew them to Toterige, where they stayed till Monday. I will enquire about Geddington. "I met Mr. Riplingham on Monday sennight and told him he had been the longest man (of his inches) in Europe," having so long broken his promise of coming to my Lord. He swears that my Lord shall have the first refusal of it. (*Margin.* My Lord tells me that Mr. North demands £1500 for Geddington, which is more than it is worth, and that he will have nothing to do with North.) I met Mr. North hard by Charter House, who promised me an answer to-morrow, and that he would then wait on my Lord Privy Seal. "When we came to town, we found much sitting had been (which was counsel to us) and my Lord was asked for, but as well with riding to and again as if he had sitten still with them. A great dust had been at the Board about Sir Lucius Caru [Cary], the Lord Falkland's eldest son, who held a place in Ireland, which was a command and pay of five or six hundred men, whereof he was capable enough whiles his father domineered, but now the King had bestowed the place on Sir Francis Willoughby, in recompense of his service and disbursements in the voyage of the Ill Array [Isle of Rhé]. This, Sir What Care I stomaching, (supposing it Sir Willoughby's seeking to supplant him) he sent him a challenge by Captain Rainsford—who should have been Cary's second. This came to the King's ear, who took it so ill that both being called before the Lords, Rainsford was sent to the Marshalseyes and Caru to the Fleet, and there I leave them.

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* Earl and Countess of Manchester.

"This Wednesday morning a letter came to my Lord Chamberlain which my relator heard him read to his brother, the Lord Steward,* to rouse up his spirits after yesterday's illgouty fit, which made him swoon twice. The letter imported, but falsely, a bloody bickering to have been of late in Ireland at Dublin, betwixt the Protestants and the Papists, wherein many throats were cut and a Bishop slain, occasioned (as is held) by the Earl of Cork's running a course eccentric to the late lord Deputy, for this suffered monasteries and nunneries to be erected, the Earl of Cork hath been in hand to suppress them. But I hear there hath been some charge a-brewing (by the Council) for Falkland to render account of his stewardship at the Board or elsewhere. My lord related the Irish business thus. On St. Stephen's day, while the Deputies were at divine service, the papists in a college in Dublin, which they call Christ Church, had gotten an old mumming priest to celebrate mass (publicly) which the Bishop of Dublin hearing of, he and the Mayor, assisted by some eight more, went and laid hold on the priest, and some four more of their novices, and as they were carrying them to the Marshalseyes, along the street, till they might bring them before the Chancellor and the Lord of Cork, the papists set upon the Bishop and Mayor so hotly that they rescued the priest, and so pelted the Mayor and Bishop with stones and batts that they were glad to take sanctuary and send to the rest of the Aldermen to help them. But they fairly stood and looked [on whilst the] papists played 'rex,' so that the Mayor was forced to send to the two [Justices of] Ireland, the Chancellor and the Earl of Cork, and they caused proclamation [to be made] that Demetrius and all his craftsmates should leave their uproar and [return] each to his home, so they conveyed the novices to safe prison, but the [old] politic priest was packed away. Then the justices sent to the houses of divers of the tumulters and committed them, and this they certified, whereupon the King and Lords order this afternoon that the faulty delinquents be punished, and that proclamation be made, upon great penalty, that no public mass shall be celebrated within the kingdom of Ireland, and that the aldermen be checked who aided not, that their 'breaden' Christ Church (as I take it) be pulled down and their college dissolved, and other three or four religious houses of the papists be all turned into Bridewells, working houses of labour and correction, and rogues and queanes sent to these houses.

"The Lord [Cra]ven hath kept the noblest Christmas of any here and hath rescued poor prisoners out of gaols that lay for debt, some 20*l.*, some 30*l.*, 40*l.*, 50*l.*, 60*l.* out of all prisons in town, to the total of 3,000*l.* value. There is a buzz that the Spaniards and the French are agreed and that we have need to look to ourselves. Some say the Hollanders lit on the Spanish fleet that plagued St. Christophers, and have paid and pilled them and pooped them overboard. The Lord

* The Earls of Montgomery and of Pembroke.

Craven they say shall marry the Lady Ann Cavendish, but soft and fair, he will stay awhile, and hath got leave for two years more, to travel again in France and Italy. The King hath made the Lords friends again, and granted the profits of the Admiralty to the Duchess of Buckingham for five years under the Broad Seal, as I hear. There are many murders done, among which one (strange) done in Holborn, as was said, a little before Christmas, thus. A boy of seven years old came up into a gentleman's chamber and prattled to him, and drew his sword and flourished with it. The gentleman, being in bed, wondered to see the boy toss his blade so, and said, so, good boy, thou hast done well, put up the sword. The boy persisting, the gentleman rose and held him the scabbard, and the rude handed lad, thinking to sheathe the sword, lustily chopt it into his belly. Company were called; one offered to strike the child. Let him alone, quoth the gentleman, God is just, this boy's father did I kill five years since, and none knew; now he hath revenged it. And the gentleman died the second dressing. Cousin Jo. I have sent up and down to look for my cousin Dixon all this morning, that I might have rendered account (either by his pen or mine) what is done in the Lord President's* business, *sed non inventus*, he is an *ubiquitaris*. I send you three ounces of the best smoke, which is scarce and dear and cost 3*s*. 6*d*. Pray you present my lowly abeisance to my honoured Lord and Lady, salute my friends," and accept my best wishes. *Damaged. Seal with device—heart with flame rising from it.* 2 *pp.*

Sir Roland St. John to [Lord Montagu].

1630, December 10. Woodforde.—Congratulating him on the condition of his town of Barnwell, inquiring whether he intends to send for those that have corn to spare to bring it to market, and giving it as his opinion that it would do good to let them know "that if they raise the prices of their corn to excessive rates, it will be a means to cause the King to command the Lords of his Council to stint them and to set rates upon their corn which they would be unwilling to hear of." Also stating that he has heard nothing of Sir Robert Napper, but will make enquiries. 1 *p.*

Mary, Lady Montagu,† to Edward, Lord Montagu, at Barnwell Castle.

1630, December 15.—I thank you for your two letters, "but I think you did not think that when I did write of my sister's marriage, it was in regard that I did intend to marry myself. But being desirous to take your advice to bestow my daughters first makes me to intreat your advice for my daughter Ann, whom I would willingly bestow on a wise and religious husband, which were able to live of himself, for when I have matched my

* Edward, Lord Conway.

† Widow of Sir Charles Montagu.

daughters, I think that which I shall leave will but maintain me. The Countess of Manchester came to me in London, whom wish well [*sic*] to my daughters, and told me that Sir Dodly Noth would fain match himself with my daughter Ann, but I do not know what to think by him, for his father hath sold his land at Harrowe the Hill and his land at the Cherter House, so that they say that my Lord will give him 10,000*l.*, but how I may be sure of it I do not know." I rely fully upon you and my Lord Privy Seal to advise me, and wish he would do me the kindness to find out what my Lord would assure his son, that I may see what my daughter would have "more than a husband, for sons be unto mothers-in-law as no children, or else as no stay to them." I do not trouble my son with it as he hath took a great cold and keeps his chamber. My daughter has also caught the cold but goes about the house and I have been to see them.

Postscript. Pray remember me to your lady. "My sister Whitmore hath sent me my sister Peckren's [Pickerings?] clothes, and she saith that they be so covetous for much that she could not lay out the moneys as she would, for linen cloth is coarse and slight . . . . My daughter Mary hath her ague still, but I thank God it is not so bad as it was. Sir Gerves Cliffone's [Gervase Clifton's] son is come out of France as I do hear, but he is not in London with his father, neither do they use (?) send to see her nor me. He lieth in Barbecen, over against my Lord Bregewater's, as I hear, and the Duke of Lenneck's tutor brought him over two months ago, as I do hear, so that his love is as the weather, that is frozen so hard that it cannot be expressed." 1 *p.*

[Elizabeth] Countess of Lindsey* to her father, Lord Mountagu.

[1630?]—"I perceive your Lordship's journey does not hold this next term. I should be glad to have seen you, for I know not how I shall be disposed of this summer. My sister had need to be careful of herself in that case she is in, for a small matter may do her hurt as now she is. My lord is now at Newmarket. I believe it will cost his purse, and that he stands little need of. I have not seen my Aunt Mountague a great while. They talk here in London that she is to marry one of my cousins to Sir Dudly North. I cannot write to your lordship that I have any hope to bestow any of my daughters, because I know not how things will fall out," but would ask you what jointure I may ask with a 2,000*l.* portion from an estate of 2,000*l.* a year. I stand out for 500*l.* and they offer but 300*l.*, though with promise of increase. I conceal the gentleman's name until things proceed further, but he is in possession of his estate, has only a mother living, and there are "no exceptions against him, neither for his quality and parts." *Small seal of arms with coronet.* 1 *p.*

Island of Lewis.

[1630?]—A brief description of the Isle of Lewis . . . as it was ordered to be done by certain of the Lords of his

* Wife of Robert Bertie, Earl of Lindsey.

Majesty's most Honourable Privy Council, and performed by Capt. John Dynes in anno 1630." 9 *pp.* [*Two copies amongst the State Papers, S. P. Dom, Chas. I.*, Vol. CLXXX, Nos. 97, 98.]

FITZFORD? WATHE to LORD MOUNTAGUE at Boughton.

1631, November 10. London.—Stating that, being acquainted with some of the chief officers of the Earl of Salisbury, he has suggested to them the idea of a marriage between the Lady Elizabeth, second daughter of the Earl, and Mr. Edward Mountague, and that they make no question but that the motion would be well received. He understands that "she is a virtuous and sweet lady, her lord father and the lady her mother marvellous loving and indulgent to their children," and conceives it would be a very honourable match, his lordship being Master of the Court of Wards and in special favour with the King, wherefore he requests further directions to be sent to the Maiden's Head in Fetter Lane, where he lodges, as does also Mr. Hide, one of the Earl's most trusted officers. 1 *p.*

MOUNTAGUE WOOD to his kinsman [LORD MONTAGU].

1631, December 12. Lumley.—I have been several times to Sir Henry Willoughbye, and have seen and talked with his daughter, who, I think, "cannot be disliked" either in regard of her person or behaviour. My daughter, who is her mother's woman, commendeth her as of a gentle disposition. "She must have 800*l.* by the year by her mother, she hath a sister which hath been married divers years to one Sir Henry Griffithe, and as yet hath no issue. Her father hath no son, he hath but one brother, unmarried, yet above forty years old and a recusant, which Sir Henry doth much dislike. His estate is very great, and having no son, I think he will make her portion according to her match." I told Sir Henry that a nobleman having asked me whether any man of worth in the country had a daughter who would prove a good match, I had named him. He was desirous to know who it was, to which I answered "I will tell you he hath three sons and two daughters, his daughters very nobly matched, his two younger sons well provided for by their uncles, and therefore his eldest is like to inherit all his lands, which are of great value, besides rich in houses, in stock, a lender and no borrower, a bountiful housekeeper and a religious governed house, and his son a proper gentleman." Next day I told him your name, but said that I did not know whether it was for your own son or some friend. "To that he said, such a man as my Lord Montague will expect a greater match than my daughter; but, said he, my daughter never had any suitors, for she is but sixteen years old, but lately I have had motion for two, the one is Sir Walter Deveroxe his son, the other Sir John Cooke's son,* secretary to our King, but as yet they have not seen her,

* See Report on the Cowper MSS., Vol I., p. 462.

neither have I spoken with them, and until then I may not do either them or myself wrong." I thought good to tell your Lordship this, craving pardon if I have trangressed. 1 *p.*

LORD MONTAGUE to his cousin MOUNTAGUE WOOD.

1631, December 13. Boughton.—I thank you for your letter. My daughter Manners once mentioning such a match* and my wife much commending Sir Henry Willoughby, made me willing for you to find out the disposition of the young gentlewoman, "but I wish you had not named me, for as Sir Henry hath motions, and one of them likely to be a far greater man than my son, so I have not been without of some beyond me in rank" but "I would not have my son to match above his own degree, and rather to settle upon land than altogether upon money, both if I could, though it were the less in both." However, no offence can be taken, as I understand that what you said was only in the general. My fears for him made me think of marriage rather than my judgement, for he is only sixteen, and I had rather he should see a little of the world before settling down. "Marriages are made in heaven. God direct that which may seem good in his wisdom." I pray you remember me kindly to your brother. *Draft, on the back of the preceding letter.* 1 *p.*

ELIZABETH, COUNTESS DOWAGER OF ANGLESEY.

1632, March 25. Court of Wards and Liveries.—Receipt, signed by Lady Anglesey, for 177*l.* 7*s.* received from Sir Myles Fleetwood in part payment of 2000*l.* for the arrears of her pension.

Underwritten,

Request by Lady Anglesey to Sir Myles Fleetwood to pay the above amount to the bearer, Mrs. Anne Huxley, or her assignee. Dated June 30th, 1632. *Witnessed by Laurence Lisle.*

Also,

Note that "the wares for which this assignment was made over were delivered in October, 1617, *being sold then as for ready money."* 1 *p.*

SIR HENRY WILUGHBY to EDWARD, LORD MONTAGUE, at Boughton.

1632, August 2. Risle [Risley].—"I am much troubled to see that your noble son can gain no greater interest in my daughter's love. Whether it be that he hath not been trained up so well in the school of Venus as he hath been in the school of the Muses I know not, or whether my daughter hath vowed virginity I know not either, but that which I most fear is that she hath placed her affections upon some mean person, which she will not discover until my head be laid in the dust, which if it come to pass must indeed bring my gray hairs with

* The letter of Frances Manners to her father here referred to is printed in "*The Montagues of Boughton and their Northamptonshire homes,*" p. 33.

sorrow to the grave. If I may know of your Lordship's being at Darbie in your way to Haddon, I would there wait upon you and discover my jealousies more at large." *Seal of arms.* ½ *p.*

ELIZA : LADY WINWOOD to LORD MOUNTAGU.

1632[–3], February 13. London.—"According to your desire, your son and my daughter have met and made some trial each of other's affections, which I did the readier give way to, being well persuaded of your Lordship's bountiful and noble disposition and well assured of your religious profession, and having good hope that Mr. Mountagu will in every of these approve himself to be descended of so worthy a father.

"Upon my earnest pressure of him to deal clearly with me in his liking, he professed freely that of himself, and not by the labour of friends, he did affect my daughter, which gives me much satisfaction ; and though I cannot yet give your Lordship the like in my daughter, yet I see good hopes to invite you to town, and . . . . good reason to believe she may incline to receive your son with the affection he desires. If it please your Lordship therefore to hazard a journey hither, to supply those things that are yet imperfect in your offers and to enlarge those that are yet, both in respect of her portion and your Lordship's honour, too small, I do very well hope (for your Lordship shall find me in nothing unreasonable) that the match may proceed, to God's glory, their content, and your Lordship's and my comfort." *Seal of arms.* 1½ *pp.*

EARL OF PEMBROKE AND MONTGOMERY to SIR ROBERT WINDE, gentleman of the Privy Chamber.

1634, July 7. Whitehall.—Requesting him to peruse the petition stated to be enclosed and either take some course for the satisfaction of the petitioner or say what answer is to be given. *Signed.* ½ *p.*

THE SAME to THE SAME.

1636[-7], Jan. 30. Whitehall.—A like request concerning another petition. *Signed. Seal of arms.* ½ *p.*

HENRY, EARL OF MANCHESTER, to his brother, LORD MOUNTAGU.

1637.*—You are doubtful whether to write to your judge before your cause is heard. "I have ever given it for an answer to such as write or speak to me when their cause is to be heard, that either they distrust their judge or despair in their cause, or else they would never make the suit." Your letter may well enough be delivered, but I shall change the form of it, as I shall tell your counsel when I see them. "There is no little trouble at the present about church business, but I hope it will prove

*Rest of the date illegible.

in the end to the good of the church and more quiet of churchmen. I perceive you are not willing to send up your sons as the time is. Their chamber rent is not worth the naming, but Sydney expects they should do as it seems he conditioned with the Whitmors. I believe your countrymen will have some more ado about the ship-money. I have made the King and the Lords perceive how unequal a rate that way by the provisions is. Sir George Sonds hath lately buried his wife, and the young child she went withal also dead, and we must all follow." Our best loves to you and my sister. *Seal with arms and coronet.* 1 *p.*

News Letter.

[1638, May 25–] June 4. Paris.—From Italy we hear that the Spaniards have mustered their forces and find them twenty thousand men, but de la Valette is in the field with great strength, and we look shortly for some great news. "The Grisons are still courted in Spain with fair but deceitful promises." Duke Bernard passed the Donau on the 18th of May, and marched after the enemy towards Rotweil, but as the enemy has express orders not to fight till the other forces have arrived, we fear Duke Bernard will hardly be able to bring them to stand. I told you in my last what the Switzers had resolved against Duke Bernard, but the evangelical party favours him, and does underhand what they can for him. Chastillon has besieged St. Omer and we hope it will shortly be in his hands. Those of Graveling and Dunkerke are in great fear and send great store of their goods into England. The Cardinal Infant hath commanded Prince Thomas thither.

Amsterdam, [May 24–] June 3.—Letters from Polonia say that the customs there are agreed upon for two years. "As for the order of the Virgin Mary, that is cried down and wholly cashiered. We are credibly informed that G. Horne will never be fit for any great or public service if he were set at liberty, for although he hath had princely entertainment all this while, yet the diabolical wickedness of the Jesuits have added such venomous sauce, that they have bereaved him in a manner of his understanding." Banner now commands alone before Dantzigh, Wrangell being revoked. The Elector of Brandenburg's army is marching into Pomerania. Gallas' army makes good cheer, but General King opposes them, to prevent their passing the Elbe. "The Palatine levies are strongly continued, and we begin to feed ourselves with better hopes. You know what the historian writes, *bona sunt in confinio malorum*." Duke Bernard has had good success against Gots' [Goetz'] forces, sent to relieve Brisac. A public fast has been appointed for this week, "and now we shall see which way the Prince of Orange will bend his course. He hath designed three rendezvous to his forces. Let the city of Antwerpe look to it!" 3½ *pp.*

News Letter.

[1638, Aug. 24–] Sept. 3. Paris.—The King of Spain hath made the great Duke of Florence his Admiral. "The Duke

de Moden [a] is contented with the vice-royalty in Portugall, which Prince Casimir of Poland should have had. The Duchess of Mantua is become wholly Spanish, and purposes to bring up her son at the Spanish Court. The Venetians and other great ones in Italy will much distaste. Savoy remains constant to France. The Grisons are still gulled by the Spaniards. Switzerland is quiet. Duke Bernard having obtained so great a victory,* the lesser cantons begin to comply with him. The said Duke prosecutes the victory with all his might." Gots has retreated towards Donawerd. It is believed that Duke Bernard has secret correspondence with some in Brisac. De la Force and Chastillon are trying to oblige Picolominie and Prince Thomas [of Carignan] to a battle. Mons. Lenthmar is arrived. "The fireworks are ready, and the Queen looks every hour to be delivered."†

Amsterdam, [Aug. 23–] Sept. 2.—The Swedes, Brandenburg, Saxony, and the Imperialists, all draw their forces together. "The Emperor takes it very ill that both the aforenamed electors will not appear at Prague in person. He is returning shortly to Vienna, where great preparations are made to entertain the King of Polonia. It continues that the Pope will not acknowledge him to be Emperor except the whole college of the electors do ratify his election." Duke Bernard carries himself bravely, and makes inroads as far as Newstad [Neustadt,] only six miles from Heydelberg. "Yesterday the Queen mother of France was fetched in in great state and solemnity. How long she is to stay here is not known." 1¾ *pp.*

News Letter.

[1638, Sept. 21–] Oct. 1. Paris.—Harcourt lies with fifteen ships before the port of Genoa, to recover the galleys which the Spaniards took from the French. The Due de Modena is gone to Spain to accomplish the permutation of Sardinia, which the Pope does what he can to hinder. Savoy declares that if France does not maintain an army of twenty thousand in Italy, they will be forced to agree with Spain. Duke Charles would fain relieve Brisac, and Lamboy and Gots are to join in order to attempt it also. Count Henry of Nassaw has congratulated the King and Queen in the name of the Prince of Orange, and Brederode is to do it in the name of the States.

Amsterdam, Sept. [20–] 30.—There is fear that the Swedes mean to make a separate treaty for themselves, which would be a great disadvantage to the common cause, which hitherto they have pretended to maintain. Wolgast is surrendered, and the Imperial army lies about Malchin; some of their troops have passed the Elbe at Werben and are marching towards the Rhine. It is rumoured that the Palatine army has had a skirmish with Hatsfeild and Peter Gots near Rheinen, and that the Prince

* Battle of Wittenweiher, July 30—Aug. 9.

† The Dauphin, afterwards Louis XIV. was born on Sept. 5, new style.

Elector's horse was shot under him. The Hassians have concluded a peace, but it is doubtful whether it will be ratified. One of the younger Landgraves is deceased at Groningen, but the elder begins to recover. The King and Queen of Polonia are arrived at Vienna.

Addressed to "Edward, Lord Mountagu of Boughton." $2\frac{1}{2}$ *pp.* *Seal with device.*

News Letter.

[1638,] Oct. [12–]22. Paris.—From Spain we are advertised that a great fleet is preparing there against the Hollanders in Brazilia. The Queen is brought abed of a daughter. The King of Spain released all the French prisoners at Fontarabie when he heard of the birth of the dauphin. The Spanish Council decides to make the Duke of Bavaria generalissimo in Germany, and to give him part of the Lower Palatinate. The news of the death of the eldest prince of Savoy continues; the younger and the mother are not yet recovered. "Prince de Conde hath the government of Guyenne till the dauphin is come to age, who is to have it." Duke Charles is in Lorrayne and had an enterprise upon Nancie, but miscarried in it. Picolominie and Prince Thomas are still near Cambray and Duke Bernard is busy with the circumvallation of Brisac, which it is certain cannot hold out long.

Amsterdam, Oct. [11–]21.—The Duke of Bavaria has got another son. The Elector of Saxony and his sons have met the Emperor at Litmeritz and have been very merry. All the troops are going into winter quarters. The ecclesiastical troubles increase in Bremen, for the Bishop will have the chief church for Lutherans to preach in, but the Magistrates have made a proclamation that any burghers frequenting that church will be banished. "Alas, what will become of the Protestants if they thus oppose and domineer there. The Prince Elector has besieged Lemgau and bought Osnabrug for 800,000 rix dollars." Lamboy has passed the Maine at Franckfort, but cannot advance apace by reason of the foul weather and ways. $3\frac{1}{2}$ *pp.*

News Letter.

[1639,] Jan. [4–]14. Paris.—"The Cardinal of Savoy is at Genoa and there remains this winter. The Venetian bailiff is at liberty and there [are] hopes money will pacify the Turk, yet they arm apace, by water and by land. The Wemaryan forces are much feared in the Veltoline and along the Boden sea and the sea of Constance. Count de Biglia labours to draw the Catholic Switzers to be against him. The Duke is busy in purging and fortifying Brisac. The people that were run away from Brisac flock home apace, submitting to the Duke. We know not how he hath ordered the government, but we fear a difference. The last French succours return into France. Than is besieged. Longueville is not yet arrived, but is expected this week. The Imperial Court is sad. The troops that were commanded by the

Emperor's General are gone into Franconia, and those of the Liga [League] toward the Danau, where they are to winter. A monsieur is gone hence to D[uke] Bar[nard] with thirty thousand pistoles to congratulate D. Barnard's victory. P[rince] de Condé is come to Court. The business of Epernon and De la Valette is deferred in regard of Cardinal de la Valette. Fugueires* is expected daily. It is believed he will be made *Marshall de Fraunce*. The preparations for the war of Italy goes forward. Some provinces do oppose in vain against the taxes. All the provinces are full of soldiers. Mons. Noyers orders the military affairs, and Mons. de Chavigny the affairs of state."

Amsterdam, [Dec. 31–] Jan. 10.—"Matters of state are in suspense. The treaties of peace are not like to take. The Swedes take exceptions at the partial carriage of the King of Denmark. The Swedes have beaten the Duke of Luneburg and made him glad to renew the peace again. The P[rince] Elector's small troops were set upon by Luneberg, but he was also beaten and driven back. P[rince] Robert is strictly looked unto. The Lord Craven refuseth quarter, it is thought by direction, for Prince Robert's sake. The Emperor is not like to strengthen himself by the general diets as was expected. The treaties of alliance advance not. Arnheim hath offered himself to the service of the King of Denmark. The King of Polonia hath assembled again about the new customs, but the Dantzikers refuse.

Overleaf:

Distichum Chronologicum. M.D.C. XXXVIII.
Invicto fortis cecidit Briseis Achilli.
Jungitur et tanto digna puella viro.
Bernhardus
Romanorum
Imperator
Semper
Augustus
Comes
Habsburgensis

I suppose the printed copies, and what your honour receives in this way, differs in these three:—

First, this is sooner by ten or twelve days.

2. This is for matter of treaty, that for matter of fact only.

3. They print all, and ours seldom proves false.

But I forbear, unless some material passages. [*In John Dillingham's handwriting.*] 1½ *pp.*

Deputy Lieutenants of Yorkshire to the King.

[1639, January 10.]—Petition of the Deputy Lieutenants and Colonels of Yorkshire to the King upon the propositions made by Sir Jacob Astley and Sir Thos. Morton concerning the trained bands. *See* S. P. Dom. Chas. I., Vol. CCCCIX., 53. *Copy endorsed by Lord Montagu*: "The Yorkshire letter to the King.'

* Marquis de Feuquiere.

LORD MONTAGU to SIR JOHN COKE, Secretary of State.

[1639, Feb. 18.]—Draft of letter already printed in the Buccleuch Report (*p.* 277) but offering only four horses "and armour in all points." The rest of the letter is cancelled, and the following substituted, in Lord Montagu's own hand—"or if it shall like his Majesty better to give 24*l.* a month, to be paid monthly for six months, if the war (which God forbid) holds out so long, whether of these his Majesty pleaseth to command, in all duty I am ready to perform; with my prayers to Almighty God, &c." 1 *p.*

Endorsed: "This was disliked of by my brother Manchester, so I writ another." [*See Lord Manchester's letter, Buccleuch Report, p.* 278.]

CHARLES I. to the EARL OF EXETER, Lieutenant of co. Northampton.

1638-9, February 18. Palace of Westminster.—Warrant for the selecting of three hundred foot and fifty four horse, from the trained bands of co. Northampton, to be weekly exercised, and ready to march to the rendezvous at York or elsewhere upon order from the General of the Army. *Copy by the Earl of Exeter.* 2½ *pp.*

Overleaf:

The EARL OF EXETER to the DEPUTY LIEUTENANTS of co. Northampton.

1638 [-9], *February* 21.—"*From my house in St. John's.*"—*Requiring them to perform the King's directions and to send an account of their proceedings to himself. Directed to William Fitz Williams, Esq., Sir Rowland St. John, K.B., Sir Lewis Watson, Bart., Charles Cocking, and William Elves, Esqs.* ½ *p.*

NEWS LETTER.

[1639, Feb. 22–] March 4. Paris.—"Prince Thomas is expected in Millayne [Milan]. The young Duke of Savoy is somewhat sickly. The Spaniards have promised to the Grisons, within five weeks, to content them fully about the Veltoline. The Austrians use their best skill to hinder the French levies in Switzerland." D[uke] B[ernard] has taken the Castle of Joux in Franche Counte and is going to Brisar. There are stately lodgings prepared for him here if affairs will suffer him to come, but his presence is much required both in Franche Counte and about the Rhine. The Spaniards have sustained two disadvantages, one by sea at Gravelingen and the other before Catteau in Cambrosy [Cateau Cambresis], which gives us good hopes of success in our summer war.

Amsterdam, Feb. [18–]28.—Count Pens, on behalf of the King of Denmark, is at Hamburg, trying to mediate a general peace, but the French make difficulties. Bannier is said to have got Duke Francis, Charles, Lawent [? Lowenthal] and Hofkircken prisoners, and to have taken Halberstadt. It is suspected that Denmark and Sweden may fall foul of each other. "What will be the end of these divisions at last. Satan's time must needs be very short, seeing he maketh so great use of it. O Lord, we wait for thy salvation.

The Prince Elector is daily expected in the Hague. The Lord grant him better success in his future enterprises than hitherto he hath had." The Transylvanian agent is going home. "By that unhappy loss wherein Prince Robert was taken, he sustained great loss, for the Prince Elector's cabinet being taken, there were letters questionless found which will discover all." Bannier intends to revictual Erford, and then to fall either upon Magdeburg or Leipseicke. The Elector of Saxony is in great perplexity, for his troops begin to mutiny, and Taube, his General Major, is arrested. The Emperor is merry at Vienna. "My Lord Craven and Ferents remain at Hermen Stein, but Prince Rubert is carried to Vienna. They present him a lady of Tiroll and promise him the Lower Palatinate if he will embrace the popish religion." The Imperial troops are weaker and much scattered, Hatsfeild being in Westphalia, Breda not far from him, Lamboy about the Westerwalde. Picolominie's forces have mastered the whole land of Cleren. 3 *pp.*

News Letter.

[1639,] March [1–]11. Paris.—The preparations in Italy do not much advance on either side, but the Duchess of Savoy has got an assignation of eleven hundred thousand crowns from hence. The three extraordinary nuncios sent from the Pope to the three Kings have orders, if they cannot make a peace, to mediate a truce for eight years. The Spaniards have promised restoration of the Veltoline to the Grisons. The Imperialists assemble their forces about the Boden Sea. The Wemarian army is still in winter quarters. "Here we spend our time in sporting, feasting, and masqueing. The scope of their intentions tends all for the honour of the dauphin and D. B[ernard]. The costly 'freework' which is to be represented about the middle of Lent is not yet ready. The subject is how Jason fetched the golden fleece, the three ships at Thracia, Thessalia, and Cholcas, besides that of Argos. There are three hundred thousand *pieces de feu* in it and a thousand racketts." Prince de Condé is going to Burgundy, Longueville will not leave before the middle of Lent. *La Reine mere* cannot yet obtain her reconciliation. Duc d' Elboeuf's secretary is commited to the Bastile for making Duc de Vallettes' manifesto.

Amsterdam, [Feb. 25–] March 7.—The treaty between the Emperor and Hassia is dissolved, as "the Emperor will not confirm the articles concerning religion by writing, but only by word of mouth, and that not otherwise but by *per formam tolleratione* and

not longer than forty years. . . . Prince Rubert is convoyed with six hundred musketeers and six hundred cuirasiers. My lord Craven and Ferents are left behind."

Hamburg, Feb. [7–]17.—I have only horrors to relate, for "it is an ordinary thing in Brandenbourg country to eat man's flesh . . . General Lieutenant Arneheine told Mons. Rousdorfe yesterday that upon his lands in Brandenbourg the boors have taken a justice of peace, and having killed him, eaten him up; that it is hardly possible to send a messenger through the country for danger of being taken and devoured; that it is common to eat dead men's flesh that are dead of themselves . . . . that there is scarcely any preacher left in the country and that in divers places children have been these two years without baptism, and [many] such lamentable matters more can be related. . . Thus the effect of these wars has turned Christians into cannibals, yea, made them worse and more unnatural than they, for the cannibals eat only their enemies by way of revenge, but these for want of other food eat their neighbours and friends, as well as carrion. The Lord make these terrible judgments to be instructions to those that are yet in safety and plenty." 3½ *pp.*

THE COUNCIL to the EARL OF EXETER.

1638 [–9], March 15. Whitehall.—Requiring him to execute the King's orders for the levying of three hundred men in his county, in addition to the trained bands, and directing him to take care that the men are able bodied, of meet years and well clothed. They are to be brought to Selby upon Ouse, near York, by the 1st of April, if possible, or at latest by the 15th. With writ of assistance.

Signed by the Archbishop of Canterbury, Bishop of London, Earls of Manchester, Surrey, Holland and Dorset, Lords Coventry, Cottington, and Newburgh, Sir Henry Vane, Sir Tho. Jermyn, Sir John Coke, Sir Francis Wyndebank and Sir William Becher.

Noted "Copia vera, E.N." *but not in Nicholas's handwriting.* 2½ *pp.*

CHARLES I. to the EARL OF EXETER.

1638-9, March 18. Palace at Westminster.—Warrant for the levying of three hundred men for service against the Scots. *Copy.* 1 *p. On the same sheet as the preceding.*

NEWS LETTER.

[1639,] March [21–]31. Paris.—From Italy we hear that the Spaniards are come into the field, but are not yet engaged in any enterprise. It is confirmed that Babilon was taken at Christmas by the Turks, who *contra parole* put to death above two thousand people. The Venetians have had some advantage over the corsairs, which will the more enrage the Turks. "Duke Bernard hath been like to die, but the last letters from Joux assure us that he is so well recovered, God be thanked, that he will be on horseback within these eight days." The Imperialists are moving

from Wertemberg to Ratesbone, by reason of Bannier's march. The King [of France] is to go in person before Easter into Chantille. Mons. de L' Isle is again sent to Duke Bernard, but there is no appearance that he will surrender Brisar. Swedish affairs in Germany prosper and the Imperialists are at their wits' end. At Montrers [Montereau ?], twelve miles from hence, there appears a hideous ghost or spectrum at day-time."

Amsterdam. March [21–] 31.—From Bremen we hear that the King of Denmark has taken upon him to put Lutheran preachers in the Cathedral, which is making much broil there. It is reported that the Emperor has placed Hamburg under the Ban for assisting Bannier to pass the Elbe, and has given the execution of the sentence to the King of Denmark. We hear that the Prince Elector is making fresh preparations, and Mons. Rusdorpe writes to me from Hamburg that he is going to the Hague, which is a token to me that all hopes of negotiation are at an end. The whole country of Brandenbourg is horribly desolated and many thousands are perished by famine. "Here we are busy with the chamber of the assurance [*sic*]. His Majesty's proclamation against the Scots is already translated and printed amongst us. Oh, that God would continue the happiness of peace in your quarters, that you might help the better to procure a general peace in the empire. We hear that the French Church hath written into Scotland to persuade them to some yielding resolutions." 3 *pp.*

The Council to the Earl of Exeter.

1639, March 29. Whitehall.—Requiring him to provide fifty strong horses and seventeen carters in co. Northampton, to be ready at Newcastle upon Tyne by the 20th of April. *Fourteen signatures, copies.* 1 *d.*

Lord Saye and Lord Brooke.

[1639, between April 29 and May 6.]—Note, that on Monday last [Ap. 29] Lord Saye and Lord Brooke were committed close prisoners in the Mayor of York's house, for refusing to take the military oath. With copy of the oath (in its original form). ½ *p.*

Calvin.

[1639 ?]—"Some notes of Calvin fit to be thought of in this difference between the Scots and us," founded on passages in the book of Isaiah. *In Lord Montagu's writing and endorsed by him.* 2 *pp.*

News Letter.

[1640, Jan. 24–] Feb. 3. Paris.—"Nothing from Italy. The differences remain with the Pope. The King goes not to Lyon, for the Duchess of Savoy will not deliver Montmelian." The Wemaryans and French are likely to compose all differences, and four thousand more French are to join them in the Wetterau. The

Spanish troops have left the Mosell, *re infecta*. Every week almost there are new commissions to raise men, and "a world of moneys are also brought together for that purpose. . . The Parliament having the second time refused to ratify the edict upon the masters of Request, his Majesty hath banished one of the chief, and committed one other to the Bastille . . . Prince Cashimire [of Poland] is like to have his liberty and to be married to some great lady in France. The Prince Elector continues in his former condition. The offers made to him go not forward, but the former charge and threatening goes forward against him, in which he is said to go about [to] usurp the King's army and the towns in his possession and belonging to his Majesty."

Amsterdam. Jan. [21–] 31.—The Prince of Orange makes levies, and great sums are sent hither from France. The Spaniards are very sad in the Low Countries, fearing a general revolt, and all their hopes are fixed on Lamboy. Jan. 9th, Duke Leopold kept rendezvous at Pilsen. Banyer advanced to the Sakzer Circle and cleared those parts of provisions. It is thought he will attack Prague. He has sent Coningsmarke [Königsmark] to make a diversion in Franconia in order to remove part of the Imperial army. Storstenson [*sic*] is following him with three thousand men. Hatzfeilde is said to be coming back to aid Cullin [Cologne]. The Brandenburgers tried to take Rupin, but were repulsed with great loss. The Swedes have got the pass called Fehroellim [Fehrbellin]. The Longuevillian army, having plundered the Westerwald, went into Darmstadt. The Landgrave has agreed to pay 36,000 rix dollars to free his country from spoil. Franckford labours to please both parties Sixteen Earls and Counts have been restored by Longueville to their possessions in the Westerwald and Wetterau "and the usurpers sent packing with their priests." [*In John Dillingham's writing.*] 1 *p.*

News Letter.

[1640,] Feb. [7–]17. Paris.—French affairs need a speedy supply in Italy. Those of the city and citadel of Thurin are again at war, and the Pope's nuncio in vain tries to arrange an accommodation between them. The report continues of a marriage between the Cardinal of Savoy and Princess Mary, but it will hardly be while Prince Thomas's wife and children are in the hands of the Spaniards, who will consent to no truce unless the Franche Comté be included. The Prince de Condé is at Dijon, and will see the masque of Duc d'Angurin [? Anguien] before he comes hither. It is still said that his Majesty will reside this summer at Lyon. Milleroye's army of twenty-eight thousand horse and foot is formed, and Chastillon's is forming. The Prince Elector's servants have had no news from the Bois de Vincennes these three weeks. The Queen of Sweden is interceding for him and "also the Lady Landgr[ave] doth most earnestly mediate for him. It is thought he will be set at liberty upon his own word." The Chancellor is still at Caen. "Last week the Cardinal was here to see the comedy which Milleroye caused to be played in

the Arsenal . . . . Next Sunday Mademoiselle is to present her masque in the Hostel and upon Thursday at St. Germaine." Mons. d'Estrade is gone to Holland to treat with Hessen and other princes and states of the Empire. Bellievre has had audience both of the King and Cardinal. The new Austrian army is resolved to attack Laufenburg and Rhinefeild, so they are to be further fortified, the King providing everything and paying the garrisons "so that no doubt is to be made any more but that Hohentweil and Tan are absolutely depending upon France as well as Brisac. Erlach directs all and Ossonville* furnishes money."

Amsterdam. Feb. [3–]13.—The Imperial army is going into winter quarters in Austria. "Piccolominie's bag and baggage is arrived at Cremes, Bannier remains in his former stations at Litmarits, Königsmarke hath beaten eight hundred Saxonian horse not far from Leipsick" and is marching to join Bannier. Gleene and Mercy have left the Wetterau and are marching into Franconia as if to pursue Konigsmarke. The deputies have begun their sessions at Norimberg, and the Hassian, Luneburg and Newburg deputies are assembled at Dusseldorpe, treating an alliance. France promises to assist those of Liege, and in Prussia some treaties are on foot again between the cities and the King of Poland. 3½ *pp.*

Charles I. to Henry, Earl of Manchester, Lord Lieutenant of co. Huntington.

1640, August 19. Palace of Westminster.—Stating his intention of going himself to the North to resist the Scots, and ordering that the trained bands of the county be got ready for immediate service. *Sign manual. Copy.* [*See draft letter calendared S.P. Dom. Chas. I., vol. for* 1640, *p.* 603.] 1 *p.*

Scots Commissioners to the King.

[1640, Sept. 4.]—"The humble petition of the Commissioners of the late Parliament and others of his Majesty's loyal subjects of the kingdom of Scotland." *Copy. Printed in Rushworth, vol. III., p.* 1255. 1 *p.*

The King to the Scots Commissioners.

1640, Sept. 5. Court at York.—Reply (signed by the Earl of Lanerick) to the above. *Copy. Printed, Ibid, p.* 1256. 1 *p.*

The Peers to the Lord Mayor, Aldermen, &c. of London.

1640, Sept. [†25]. York.—Copy of the letter sent by the Lords deputed to borrow 200,000*l.* from the city of London. *Printed in Rushworth III., p.* 1279. This copy notes that the letter was subscribed by all the Lords present at the great Council

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* Baron d'Oisonville, Lieut. Governor of Brisach.

† Dated September 15 by mistake.

except the Earl of Carlisle, and is endorsed by Lord Montagu "15th Sept^{r} 1640, the Lords' letter to London." 2 *pp.*

Underwritten,

Copy of the "Instructions for the Lords deputed to treat with the city of London." 1 *p.*

News Letter.

[1640, Sept. 29.]—Sends copy of the King's speech of September 24 [*given*] and account of proceedings at York. There has been great search to find out who gives intelligence to the Scots, for they know "everything done in York and of the King's part, but we nothing of theirs" and a Mr. Henry Darley has been imprisoned on suspicion. It is said that the Lords have undertaken to borrow 200,000*l.* from the Londoners, "which, but that wonders are done in these days, I should not believe it." Six Lords are coming up to raise the money. Sixteen Lords [*names given*] are going to Northallerton to treat with the Scots. "There is one letter that saith the Lords have agreed that the Scots not yielding to their propositions to raise forty thousand men, to drive them out of England, but that I hardly believe, and much fear the Scots and they will not agree. This instant I heard a letter that speaks of sad sufferings in the North by our people, the Scots having 100*l.* *per diem* from them. For that business of the Scots going to pillage a papist's house, by reason whereof they were twenty-six of them surprised with Sir Archibald Douglas by the English, three killed and two drowned, its not owned by those that command in chief of the Scots. . . . The most sad story of all is that there is a prohibition that no English shall trade with the Scots, and that because they shall not be supplied with moneys at Newcastle, and so they are forced to prey upon Northumberland and the Bishopric. The preparations in the Tower go forward with all speed, to the great expense of his Majesty, five hundred daily working there, and besides, two hundred soldiers are likewise in pay, all the day but eating time stand with their muskets on their rests and pikes ordered, like a company of boys in Moore Fields. I cannot conceive that his Majesty is at less charge there than a hundred pounds *per diem*. . . This Tuesday, [Sept. 29], there hath been the most extreme stir about choosing a Lord Mayor that ever was known, Guildhall being full from eight in the morning to three at afternoon. Sir William Acton was the man that of course was to have it, being the eldest alderman, but he would not be endured; the good service he did in the business of poundage and tonnage sticks yet in the city's stomachs. They presented to my Lord Mayor Alderman Geares and Alderman Somes, the latter is the man like to carry it, and yet both of them much dissuaded the multitude, but all would not do, they would have none but them." The Lord Mayor has adjourned the Court until Tuesday, that his Majesty may be informed. It is said that the King has declared that he will not protect any that shall in Parliament be found worthy of punishment. I pray that it may be true.

One of quality just come from York reports that when the Commissioners [to the Scots] went to the King for the articles to treat upon and saw them, they declared they would not go, as "they should be laughed at and make themselves ridiculous. His Majesty said there was forty articles that they had made. For twenty-five of them, he and they should not differ, but for the other fifteen he would lose his crown before he would yield to them. The Scots on the other part do not like of the place appointed nor of the security propounded. The letters or letter that was to come to the city for money it was not (*sic*) moved by the Lords that they that brought the petition might carry back the letter, which his Majesty did not approve, saying they were a company of rascals, and he would have Lords carry it. The word rascal was no sooner out but it was all over York that his Majesty called the citizens of London rascals. My Lord Chamberlain came in and told his Majesty. His Majesty would have put it off, but the cry was more and more. At last the citizens were called for by the Secretary, who was to apologise, but they were gone towards London, whereupon my author of this last, who brought another petition, was called to kiss the King's hand, and commanded to declare the contrary to the city when he came. This day Dr. Duck sat in London, visiting, but all men refused to take the new oath, which a 'paritier' perceiving, cried out, they were puritans, which word occasioned such a hurly-burly in the church among the multitude that the Sheriff was fain to be sent for, and the officers all were in great danger that attended the Court. This relation I had from one present, but whether it be true (*verbatim*) or no I cannot say, but [that] such a hubbub was is most true. A troop of six-score horse of Mr. Henry Percye's went out of London for York this day, none such went this year for complete men. The Londoners in private talk as if they would part with no money, for they say they are not able, and were they, yet have they not power by a public Act so to do, and had they power, why should they do it upon the Lords' security when they refused the King and former security, and lastly they say that sure a great deal less will serve, and if less, why may not the Lords lend their Michaelmas rents, if they be so willing." 2 *pp.*

Endorsed by Lord Montagu "The King's speech to the Lords, and some other news from York."

EDWARD MOUNTAGU to his father, LORD MOUNTAGU, at Barnwell.

1641, May 8.—"Since my coming to London, here hath been great tumults and disorders, especially about Westminster, by reason, as the common people say, that they have not justice against my lord of Strafford. There was a fair answer given to them by the Lords, which made all quiet, but this morning there was a rumour that the lower House was fired and beset with papists, which made great numbers come armed, and finding all well, returned. We are in great fear that there is a design to

bring our army to London. I have sent your Lordship the protestation which we have all taken,* and likewise the Lords, except those which are papists, and now I believe they will be kept out of the Lords' House. Every knight and burgess is to send this protestation to the place for which they serve, to be taken by those that will. The Lords have been sitting all this day about the Earl of Strafford's bill. I hear there is no question but it will pass them. We fear there is a desire to convey him away, which makes the city watch the Tower every night. We are preparing a remonstrance of all our grievances, and a Petition of Right to pass with the subsidy bill. I have sent your lordship my Lord Digby's speech, printed against his will, and now suppressed. I think the Star Chamber will not be limited but quite taken away. We find such cruel and tyrannical sentences given there that I believe it will go ill with those that have been judges there." 1 *p.*

EDWARD MOUNTAGU to his father, LORD MOUNTAGU, at Barnewell.

1641, June 2. London.—"We have had a very stirring week of this concerning Bishops." The bill for their abolishment has been read twice, and commissioners are to be named for governing the church until a new government is settled. "We have not yet ended the long treaty with the Scots, which I did not think would have had so many parts. We have yielded to some things which I wish we had not. We cannot get money enough to disband all armies presently, and because we find what scarcity there is of money, the House of Commons intend to pass an act that all which have plate, dishes or trenchers shall bring them in to be coined, and to be paid as soon as the Parliament can. My Lord Digby is questioned in our House for causing his speech to be printed, which was against the bill of attainder of my Lord Strafford. I believe it will go ill with him if he be not called presently into the Lords' House, which I hear he shall. We have expelled one Mr Taylor, burgess of Windsor, for saying to pass the bill against my lord of Strafford was to commit murder with the sword of Justice. I think my lord of Canterbury will shortly be tried in the King's Bench. The Earl of Hertford is made Marquis of Hertford. The sickness is in two or three houses in King Street, and therefore I have removed to the Temple, to my Uncle Sydney's lodging." I present my duty to your Lordship and crave your blessing.

Postscript. "Since the customers were voted delinquents none will take any tonnage or poundage, and the merchants land their goods paying nothing. We are granting them to commissioners but not to the King, for the use of the Navy and the King for a very short time, until we can settle the book of rates, and then we shall grant them for three years. *Seal of arms.* 1 *p.*

*See Lords' Journals, IV. 234.

Thomas Jenyson to Lord Mountagu.

1641, October 14. Irchester.—"*Amicorum omnia sunt communia,* saith Tulley. As it pleased your Lordship to impart to me that which you knew I wanted, so I thought it fit to communicate that wherewith I see your Lordship is not as yet supplied, *levidense munusculum,* which, not worthy, I hope your Lordship will accept, *animum non munus.* . . . On Friday, the Committee of the House of Commons sat and spent most of the time in ordering and deciding a difference between the minister of one of the churches on New Fish Street Hill and the parishioners about their doctor, who doth not pray for Bishops, &c., for the which the minister refused him to preach in his parish. In conclusion the Committee asked him if he would obey the order of the House of Commons for having lecturers; he subscribed and so the doctor continues. The parson was a great bower and cringer formerly. On Saturday the Council sat late at Whitehall, viz., the Keeper, Chief Justice Bancks, and not above three lords more." They sit again to-morrow. There are daily great robberies. Between Thursday night and ten o'clock on Friday, there were twenty-six between Tottenham High Cross and London. Burlemack [Burlemachi] tells me that the four Holland Ambassadors will be here next month, and that the French have relieved Ayre. Sir Thomas Roe is gone to Vienna. "No certainty of his Majesty's coming as yet, for I do not hear that they are agreed upon the officers of State and Judicature. It seemeth their Parliament [in Scotland] enjoined all their officers to resign their places, which being done, they restored some, but the delinquents they keep out still, neither do they admit any to any office that maketh suit for it. Col. Willmot, Sir John Barkely and Capt. O'Neale would lodge in my house, but I will not admit them if they would give me 10*l.* a week." 1 *p.*

News Letter from London.

[1641, October 31.]—There is yet no news of the King's return, nor certainty about the design in Scotland, but as many opinions as there are faces.

Tuesday next is appointed for Justice Bartley's [Berkeley's] trial. He has been before the Lords and pleaded not guilty, *modo et forma.* Parliament has not yet given a name to the accusations of the thirteen bishops, but in respect of their standing accused of so many disdemeanours against the Commonwealth, the Commons have demanded that they may be sequestered as unfit persons to have any votes, and also that they, being parties, may not vote upon the Bill for taking away all the Bishops' votes. The Lords' answer I have not yet heard.

"The King hath sent letters to the Privy Signet for the making of five new Bishops, viz.: Dr. Oldsworth, Dr. Broomricke [Brownrigg], Dr. Pridgiox, Dr. Henry Kinge; the fifth I have forgotten. The bishop of Lincoln is to be made bishop of York. These new bishops are all very worthy men, yet in respect they were of the

Convocation when those scurvy canons were made, there is a committee chosen for drawing up heads and for a conference to stop them, if it may be."

There is to be a petition to the King that he will remove from places of trust men noxious to the Commonwealth, and will take the advice of the Houses in choosing new ones. The Commons yesterday requested the Lords, "whereas the Prince's Highness was much at Oatelands with the Queen, who no question hath all motherly care and affection to him, yet in respect there are those about her that might have other ends" to send to desire the Marquis of Hartford to take the Prince to his house at Richmond, and let him have no servants but such as he would be responsible for. The Lords concurred and Lord Holland has been sent. "There is some discovery of another plot here amongst us, but what it is I yet know not. But Father Phillips and another Frenchman [Mons. Monsigott] is sent for to be at the House to-morrow by ten of the clock. A lawyer, a member of the House of Commons, sat at the House on Thursday, and died of the plague yesterday, being the Saturday following." 1 *p.*

[J. Dillingham] to Lord Mountagu, at Boughton.

[1641,] November 6.—"This week affords great and unexpected news, and such as is like to prove heavy to the kingdom. To pass by the answers of the Lords to the business chiefly desired by the House of Commons, which if not timely prevented, will sure prove a great distemper in the kingdom, and my faith tells me will fall heaviest upon them that against judgment, for self honours and ends, speak for the continuance of that which hath been the cause of so much misery past, and will (if continued) first or last, be the rock upon which our religion and liberties are like to be shipwrecked:—Saturday, [Oct. 30,] there was found out a new plot for the re-collecting of the army late dispersed, and that by Papists and others, and those most near the Queen. Some of them are in hold; others we hope will be to-day. Mr. Pym, the aforesaid Saturday in the evening, made a speech to the Lords and gave them to understand what was discovered and what like to be, in what dangers the Kingdom was in, and whereas, contrary to his Majesty's order, the Prince was in the custody of the Queen, and the Marquis Hartford had him not, it was desired that the Prince might return to his Governor, for though her Majesty was a loving mother yet there was about her such as were no friends to Prince or State, there being some of them already discovered. So the Lords sent the Lord of Holland to the Queen, and Essex to the Marquis to direct that it be done accordingly, this being done on Saturday night.

"Sunday morning, a messenger arrives from Ireland, informing that the Papists were up in arms, and that in five places, had attempted to take in several castles and towns, and had an

enterprise on Dublin itself. Thus are we used, and this we get for our discretion and moderation. God grant twice seven years end that war, for we have little less than perfect intelligence that the English papists make over all to Ireland, and flock thither, and that hundreds of priests and Jesuits go daily over, as if there had not been enough before, when there are [those] that offered to prove a year since that there were in Ireland ten thousand in popish orders. If you please you may add to this the continual intercourse between our northern and northwestern papists and some about his Majesty at Edenburg, and that Indimion Porter is clapt up at Edenburg, and that Murry is fled, for whom the King undertook in more than an ordinary way, and that there are more and more daily discovered to have hands in this plot, by which you may see the plot was universal, and yet who have so many friends as the papists and prelates. Consider also that letters came from his Majesty, requiring the Marquis of Hartford to deliver the prince to the Queen's custody.

"The Lords and Commons sat most part of Monday about the Irish business, and at evening the Commons had a conference at which Mr. Whitelock delivered to the Lords these particulars, —first, that they took special notice of the service of the Lord Lieutenant in his discoveries. Secondly, that they thought fit, in regard of present necessities, that 50,000*l.* be raised and that a committee go of Lords and Commons to the city to borrow it, assuring they shall have an act for the repayment of use and principal. Thirdly that Owen,* who delivered Dublin out of the hands of [the] enemy, be rewarded for his good and faithful service with 500*l.* in present, and 200*l.* per annum, and recommended to the Lord Lieutenant for further service, and this he to have until in land or other ways a larger and more certain reward can be conferred upon him, which is done, as for his service, so for the encouragement of others. Fourth, that ammunition, ships, men &c, be forthwith dispatched into Ireland and that the Lieutenant or Deputy go forthwith. Fifth, that in regard the Isle of Wight is a place of consequence, and the surprisal may be of great hurt to the kingdom, that a new Governor be appointed for it. Sixth, that all papists that have gone within a year past into Ireland from England be recalled by proclamation on pain of confiscation, or as the Parliament shall think fit. This Owen is a godly man and stout man as any that ever I knew, a late servant of Sir John Clotworthy's. He, when he saw them up in arms in many places, and that they had taken divers castles, two from one lord, and made spoil of all, he followed to Dublin, and from one of his countrymen had notice that they had a design upon Dublin, which, when he knew, he took his opportunity, and gets over the wall, being shot at as he passed, and yet got well into the town, and giving notice to the Governors, they armed, and by that means repulsed the enemy, who otherways had been possessed of the town before they had ever heard of them.

"The further examination of the business about the bringing again together of the army hath discovered Father Phillips guilty,

* Owen O'Conolly.

and he is committed to the Tower. Thus you see we now venture upon the confessors. How far further we shall go, I know not. The Scots do not prosecute and beat out the treachery as they might. They may forget the kindness they received from us, and some great ones say they do. Its believed there will be five thousand, some say eight, sent to Ireland. I have had speech with Owen, who hath told me the whole business, but its too long to relate. All the question is, what great ones have hands in it, if Spain or others of like power, as the Jesuits there say, then its like to be a long work. However we are diverted from aiding the Prince Elector and the Protestants, besides many other inconveniences, thus have the papists their ends, and I fear in the end they will be too hard (as they call him) for K. Jo: P. [King John Pym.] There is no good conceit had of the Lieutenant, but in regard he is not obnoxious, they cannot nor dare not move against him. However it be, the world must roll and affairs turn this way and that, otherways putrifaction would be begotten.

"Wednesday, the Commons voted Sir Jacob Ashley and Sir John Conyers two Colonels, and that there should be sent two thousand foot presently, and five hundred horse, and after them, four thousand foot and fifteen hundred horse, and that if any volunteers would go, they should have large encouragement and what they could get from the rebels." 2 *pp.*

News Letter from London.

[1641, December 16 ?]—Thursday [9th] there was nothing but the business of Ireland in debate, and about the pressing Bill, the King's counsel being not satisfied that the King cannot press by his prerogative, nor will the Parliament be much in the care to satisfy any in that but the Lords. That business of the Deputy's going sticks with the King about his commission. A free conference is to be about the Bishops' demurrer. They must be delayed.

"Friday, the Commons chiefly insisted upon the reasons to prove that it was not fit that popery be tolerated in Ireland or England, and had a conference or two about the Act for pressing of men for the Irish service. . . . . This day there came near two hundred men with halberds to Westminster, but it was not known who sent them, nor for what end, but upon examination it was found the Sheriff commanded, and his warrant was under the Great Seal. The Commons stormed at it and believed it was to hinder the apprentices with their petition, who have got thirty thousand hands to a petition of the rooting out of episcopacy, root and branch.

"Saturday, many weighty businesses was intended, but were hindered by a debate about certain priests, seven in number, who were found guilty but had somewhat to say that they did not depart, as one said he had written for the Oath of Supremacy and durst not, another that he was in prison for debt and could not. This held eight hours, and the Houses were many times

divided, and once but one voice different. See the Queen's influence into the Commons' House, but for all that could be done, two only are saved. The same day the business of the guard sent to Westminster the day before came into debate, and it was found to be a plot to set the suburbs and city together by the ears. There were eight justices in the business, and I think eight as very knaves as are in England. They are like to be all put out of commission, and already Justice Long is voted to the Tower. The Londoners brought their petition, which was received very kindly by the Commons' House, and promised whoever had opposed or interrupted them, they would make examples if it were proved. Young Sir Hen. Vane was to resign his Treasurer's place for the Navy, and Sir William Penyman is to have it. Mr. Holland, one that was of the Green Cloth to the Prince, is put out likewise, and the resolution is that if no papists may be about the King, Queen, or Prince, then no puritans, insomuch that a poor man that did only provide carts, because a puritan, is put out. There must not be a saint in Cæsar's house. Look what measure is meeted out to the papists, let the puritans look for from her Majesty.

"Sunday, the proclamation for the observation of the Common prayer book and other rites and ceremonies of the Church was published. I hope my Lord of Essex will be a false prophet, who said to his Majesty it would set all the kingdom by the ears.

"Monday in the morning, the prisoners in Newgate that were to be hanged, refused to go unless the priests also might go to execution with them, and so mutinied, insomuch that the Sheriff was constrained to shoot many of them with muskets. The Commons debated the Irish business . . . Look every day to hear worse of England. Justice Long was sent to the Tower.

"Tuesday . . . The King's Majesty was at the House [of Lords] and spake to these two things. To the manifesto against the Irish rebels, he said it was a time for actions, not for declarations. Sure there is yet some great design on foot. For the pressing Bill, he declared he was willing for this time to pass it, not disputing the thing, but thought they would be as willing to hold up his prerogative, as he was their laws. In the Lords' House there was a business in debate. The Lord of Warwick stood up to move in it. The Bishop of York, not liking it, said to my Lord of Warwick, 'hold your tongue,' at which they cried 'withdraw, withdraw,' but his Grace was obstinate and would not, whereupon they compelled him to withdraw, and then committed him to the Black Rod. The business which was in debate when his grace of York was questioned was for a toleration of popery, and he was stiff for it. It seems the Lord Newarke was also committed. . . . . I saw such lamentable letters out of Ireland that I tremble to think what is in them. There was never such cruelties used by Turks. I think there is forty particulars in the letters. Two or three of them I touch, as the ripping up of women, cutting off the members of ministers, hanging up men after that they were

content to be Roman Catholics, and abjure our religion. This I am assured, that the party of Lords and Commons for the popish and delinquent party are not so many as they were. And whatever you do, advise all that love themselves and desire to maintain laws and religion, to get them muskets, powder and shot with all speed." 3¼ *pp.*

News Letter.

[1641,] Dec. [17-]27. Paris.—"Letters of the 9th of December from Lisbon mention that the 4th of ditto there hath been a battle at sea between ten Dunkirkers, fourteen Spanish galleons with twenty Holland ships, about Cape de St. Vincent, which lasted from morning till evening . . . . the 5th of ditto, the truce of ten years between Portugal and Holland was proclaimed and published at Lisbon." The garrison of Perpinan have had a skirmish with the French cavalry. The Spanish army lies still at Colure, and dares not attack the French at Argilliers. Prince Thomas is made general over the Spanish forces against Portugal, and Marquis de Leganes general against Catalonia. Ambassadors are sent to Rome and Parma to facilitate the treaties between the Pope and the Duke. The King has disannulled the Parliament at Lorraine, referring all matters of justice to Metz. Lamboy is marching towards the Mase and Beck to Luxenburg to their winter quarters, and the French do the like.

The Archbishop of Mehlen [Mechlin ?] has declared the marriage of the Duke of Guise with the Countess of Bossu[t] void, but she has appealed to Rome.

Amsterdam, Dec. [16-]26.—The King of Denmark is going to quarter his soldiers in the territories of Hamburg and Lubeck. The Swedish army on the 8th was still in Brunswig, and the Weymar one in Schaumburg, intending one to march into Thuringia and the other towards the Rhyne. Torstensen is marching with twenty thousand men.

The Imperial army is in Thuringia. The Palatine treaties continue at Vienna, but "we look for no good to be done this way." If the Weymarians do not quickly occupy the land of Collen and Cleves, Lamboy will be too cunning for them. "Last week Prince Robert arrived safely in the Hague. He hath been with the King of Denmark. It is said that the Earl of Embden's son is to marry the Prince of Orange's daughter, and that the Elector of Brandenbourg is to marry another, but this latter we do not believe. Erford [Erfurt] should have been surrendered to the Imperialists, but the Swedish governor in it taking them in the very plot, hanged the Burgomaster, and precipitated the Recorder from the highest steeple, putting all the other traitors in hold." 3¼ *pp.*

News Letter from London.

[1641, December 29 ?]—"Thursday [Dec. 23] his Majesty sent answer to the Remonstrance and other things as he promised in writing. The main thing that he expressed was

that he knew not who they meant by evil counsellors, but its in print and you may see it. The House of Commons spent most of the day in discourse of Colonel Lunsford's deputement to the Lieutenantship of the Tower; a man most unfit to be entrusted with so great a charge of money, ammunition and strength. They all in general resolve against him, the Londoners petitioned against him, and also ten apprentices in a most discreet manner and submissive way delivered their petition. The Lords, though they have assented to the going of ten thousand men, Scots, yet delay the answer to the particulars of the treaty, so that there is not like to be any sudden motion; and the Lieutenant smoothly carries both sides, so as its clear he will do no great good. Late at night, the Lord Digby stood up in the Lords' House, and made a most invective speech against the Commons' House for breaking laws and privileges, entrenching upon the King, upon them, and bespattered the House of Commons as much as one would do his cloak in riding from Ware to London. I say still, provide weapons, get muskets, powder and shot. Let not the Popish party surprise us with a riding rod only in our hands.

"Friday, most of the time was spent about the new Lieutenant, who, by the generality of the Commons' House, was cried down. They agreed to have a conference with the Lords to have them join with them to the King's Majesty for his removal. Mr. Pym said that the papists and their adherents, the Bishops, and other evil counsellors, had a plot to set this kingdom into blood and that they had discovered in sundry plots, and that the putting this man into the Tower was but one other design for the same end, and said that if their Lordships would not join, that then the confusion and bloodshed and miseries that fell upon the kingdom be upon them. . . . There is great ado made for arms and in vain, for there is not any muskets or other guns to be bought, nor iron to make them of, so great is the fears of the people here, especially about the Tower. Saturday night there were hundreds watching voluntarily to prevent the income of soldiers, the Lieutenant being sworn and in. All the merchants have taken out their bullion out of the Tower which was to be coined.

"Sunday, his Majesty altered his resolution about the Lieutenant of the Tower, and declared that one Sir Jo. Byron should be the man. This Byron was either governor of Carlisle or commanded a troop of horse there, and therefore a bird of the same feather.

"Monday there appeared many thousand of the lower sort of citizens. These desired the extirpation of the new Lieutenant and restoration of the old, and no Bishops. During their abode at Westminster and thereabout, there came some sixteen or seventeen gentlemen-like men, and in a kind of foolish way said they would drive away all the citizens out of Westminster Hall, and every man drew his sword and flourished up and down the Hall as if were to invite to combat, but struck no man. They had not flourished twice the Hall, but about a hundred citizens, some six with swords and as many with cudgels, and the rest with stones, came against the gentlemen thus flourishing with their swords,

and first with a volley of stones let fly at them, then came up close to them, half of the gentlemen running away. The rest, some eight of either side, maintain the fight until the gentlemen were all run away or beat down. Two or three only were hurt of the gentlemen, none of the citizens, who fought like enraged lions, and this was all that passed, myself being, against my will, a beholder of the whole business. . . . The same night there was a conference, at which my Lord Keeper declared that my Lord Newport had spake some words to my Lord Saville and the Queen to this end, as if he with some other had a design to take the Queen and children into custody. This was spoke when his Majesty was in Scotland, and [it] is said that saying to the King, being asked, he did not remember any such words, and therefore, said the King, he was not fit to be Constable of the Tower. There was also in the Commons' House somewhat framing against the Lord of Bristol, the House resolving to satisfy the King in this, that he should have the evil counsellers accused in particular.

"Tuesday, the Commons proceeded against the Earl of Bristol, but went not up with the charge. They insisted upon the guard for their persons, and voted my Lord of Essex general, and when the question was whether they should go to have his Majesty's assent, the noes were more than the yeas. The citizens were by multitudes there this day, and towards the evening there issued some thirty or forty gentlemen from the Abbey Church, and fell pell mell, with swords and pistols upon them, and hurt many of them. There were certain Bishops coming to the House, and the apprentices cried 'a bishop, a bishop,' and so with cries kept them from landing, they rowing up and down about an hour, and at last went back. The apprentices behave themselves rudely. I wish the House of Commons and the Kingdom repent not this connivance. I do not think London a place of that safety that I formerly did. . . . . Letters from Ireland speak as if they intended to root out all English, both papists and protestants, and all such papists as have or shall adhere to this Kingdom." 4 *pp.*

[J. Dillingham] to Edward, Lord Mountagu, at Boughton.

[1641, December 30 ?]—"The soldiers that watched at Whitehall gate Tuesday* night were not only warmed by a good fire without, but with a hogshead of wine within. You see we begin to please the people now. Some hundred soldier-like men, as I am informed, gathered to Lunsford, who, as I hear, is to have as much money out of this years new-years gifts as comes to 500*l.* per annum for life. These soldiers are said, the day before, to offer their Majesties to untie the knot. What was meant, you may judge. In the afternoon, the said soldiers issued out of Whitehall, and cut and hacked the apprentices that were passing to Westminster. An end was put to the declaration or charge against the Lords of Bristol and Digby, and as I hear, they

*This is as corrected by the writer. The letter originally began "Wednesday, the soldiers that watched at Whitehall gate the night before."

will not send it to the Lords for punishment, which they think bootless, but will desire to have the Lords join to entreat the king that they may be removed from the Council and Court, and this declaration shall be printed. They intend to do somewhat about the Queen likewise. The citizens have debated and resolved, in case things take not issue suddenly, to shut up shops and desist trade, which, if three or four hundred should do, all will grow to confusion suddenly. There is now nothing sought for so much as guns and trimming up of old ones. There is labouring by the parties to catch (?) each from other, and his Majesty last night sent his officers to see what store was, and how many they could bring in weekly that made them, and sent out to trimming all in the Tower, but that I think is for the Irish design. There is now among the multitude a general crying down the Brownists, and they say that all that go to Westminster in this tumultuous way are such, and if in case we fall out I see clearly that not the religious in general but even parliament men will be voted such by the rude multitude. I put this to your consideration that if there be a hundred to one of our side, and yet the papists and that party shall have more armed men than we, as I believe they will, how you think things will go." 1 *p.*

Postscript. "The Lords assent not to the House of Commons' guard nor commander."

[J. Dillingham] to Edward, Lord Montague, at Boughton.

[1642, Jan. 7.]—"Thursday [Dec. 30] the Bishops brought in their petition, declaration and protest against all laws that shall be made whilst they by fear are kept from the house. This took not with the Lords as was by them expected, for they voted it an act tending to the subversion of Parliament, and sent it to the Commons' House, as being concerned as a third estate, and the Commons voted it treason, and charged them. Then they moved that they might have a guard, and upon this reason because they would not have flown so high, but that they were resolved to make it good by the sword, but the House of Lords were not content.

"Friday morning there went nine bishops to the Tower, but other two for age [to the Usher's house], that is the Bishop Morton and he of Lichfield and Coventry. The Bishops lay all the fault upon Jo. of York. Bishop Morton being with my Lady Sea [Saye] when he was charged, he cried out that the Bishop of York had undone him. York said he did not think they would not (*sic*) have charged so high. The Commons came all with their servants as guard, but discovering that there were some hundreds of muskets and petronells come into Whitehall, and that the Inns of Court had been with some three hundred of the refuse with the King and Queen to tender their service, and their speakers kissed their Majestys' hands and were all thanked, they moved the Lords that a conference might be, and petition for a guard, and in the interim, adjourned to Guild Hall for Saturday, and Monday they sent up the bill for the

taking the Bishops' votes out of the Lords' House, but they answered they should have answer in fit time. This night went sixty gunners and engineers into the Tower, and some volunteers. Saturday they sat at Guild Hall, and debated some Irish business, and there my Lord of Lester presented letters purporting thus much, that they of Dublin did wonder that in two months they should not have any relief, and that they had now no hopes of deliverance, the enemy drawing near the city, the Castle being not tenable nor offensive to any purpose. They said that now they must be a sacrifice to the papists and that they hoped God would revenge their blood upon the causers of this delay. They say further that the Irish, getting Dublin, are resolved for Lankey-sheir, and have barks ready to waft over twenty thousand men. They got other letters that came from the Mayor of Bewmoris, signifying that divers Irish lords and cavaliers came there to take shipping, and that they being put to the oath of supremacy, produced the King's hand for their pass, not taking it. The letters from Scotland say that one Winter, brother to the late secretary of her Majesty, had correspond[ence] with the rebels, and that from Edenburg he sent an Irishman with instructions to them, but he was discovered by a Scots wile, having confessed that he went to bid O'Neale prepare for the receiving of the Scots, and that the south parts would be safe, for there would be course taken in England that none should go thither, or if they did, they should be friends, though in appearance enemies, and that for England, they should have work enough at home, by the coming of certain Spanish and voluntary French. The master and servant are both in Edenburg castle.

"Sunday, we hear that my Lord Southampton was made a Privy Consellor, and my Lord Falkland and Sir John Culpeper a Privy Counsellor* and Chancellor of the Exchequer.

"Monday, the Commons had answer that the King would give them no guard but such as he had for himself and family. They, not knowing how to help it, went to Westminster, and were no sooner come but they [*sic*] charged my Lord Mandivill, Mr. Pym, Mr. Hollis, Mr. Stroud, Mr. Hamden and Sir Arthur Hesellrigg with high treason. This forsooth was done by the King, and delivered by his Attorney. The Lord Mandiville was put to vote, and my Lord Roberds did so help in the qu[estion] that the vote went they saw no cause of commitment. The serjeant demanded the other five, but the House of Commons would not deliver them, but undertook for them that they should answer any legal charge. The charge I have enclosed. They had their studies and trunks sealed up, but this was voted a breach of privilege of Parliament by both Houses, as likewise the King's guard.

"The next day, [Jan. 4] the Commons came to the House, and the five men with them, and when it was about twelve o'clock, they had notice that the King would come, with some hundreds, to take those men by force. They understanding, went away,

*Falkland was also made Secretary.

and presently the King came with some four hundred, about a hundred of his own servants, and all the rest captains and other broken and desperate fortuned men, only young Mr. Sawyer excepted. These accompanied his Majesty, who for haste went in a hackney coach, but when he came into the Commons' House he looked about, and found none of them. 'What,' said he, 'are all the birds flown, well, I will find them,' and so departed. A good hand assures me that all this is done by the Queen, because these men were drawing up seventeen articles against her. The charged men keep out of the way. The Commons voted that they conceived that there was need that the city be put in a defensive posture, and thereupon the Common Council voted it, and sent order for preparation through the city, and chose a committee to consider of further defence, and resolved upon another Common Council on Wednesday.

"Wednesday they met in Guildhall, and there being awhile set, the King came and divers of his lords, and there to the Common Council made a speech, to the purpose that he went in the way of arms to the Commons' House the day before for fear of the multitude, who had not been there of five days before, and said further that he would have the six men, but they should have fair trial, let them have a fair charge first. Then he said he would throw down popery, (witness the Jesuits that are condemned and reprieved), and lastly, he would have the government as formerly in the Church, for the better suppressing Brownists and Separatists and that he would not endure them. Then he went to Alderman Garett's, the now Sheriff, to dinner, and when he went back, the Lord Major came to wait upon his Majesty, and after the King was gone, the citizens' wives fell upon the Lord Mayor, and pulled his chain from his neck, and called him traitor to the city, and to the liberties of it, and had like to have torn both him and the Recorder in pieces. The Common Council resolved upon a petition to the King, in which they fly high as to the breach of privilege of Parliament. The Commons adjourned to Guildhall to Tuesday next, and there, as a committee, intend to draw up a charge against such as have broke privilege of Parliament, and if the Attorney-General look not to it, I believe he will 'truss'. They will not spare the Queen, and more, they will resolve to conclude of a guard, and if not granted they will spare no more, but to their defence, and all contrive so as that the Kingdom may be preserved, and mind no more the way formerly gone in. The King had the worst day in London yesterday that ever he had, the people crying 'privilege of parliament' [by] thousands, and prayed God to turn the heart of the King, shutting up all their shops, and standing at their doors, with swords and halberds." 2½ *pp.*

News Letter.

[1642,] Jan. [7-]17. Paris.—"An express is arrived out of Rousillon with news that on the 7th Perpinian was not yet victualled, and that the vice-roy hath received fresh letters

whereby he hoped to hinder the relief of it. The enemy indeed is said to be four thousand strong, but he hath not so many horse. He hath likewise order with main force to attack the foresaid city, as soon as he hath gotten the forty-four companies of foot out of Languedocke. In the mean time it is certain that Argilliers upon good conditions is surrendered into the enemy's hand. The rumours are revived again that Sicilia is revolted, as likewise that Angola is taken by the Hollanders. Duc de Parma hath accepted of the Spanish protection. The Pope continues all his warlike preparations. The King of Spain offers to the Cardinal of Savoy the Archbishopric of Toledo for the city of Nize. The Imperialists are raising a fort royal before Hohenwiell. The French levies are continued in Switserland. In Franche County the neutrality is strictly observed. The boors of Trier have chased the Lorrayners, who are retreated into the Palatinat. Erlach hath gotten a supply of five hundred horse to relieve Hohenwiell. Lamboy is passed the Mase with seventy-two companies of horse and eighty-two foot. Archduke Leopold is to succeed the Cardinal Infant. The King is resolved to go to Lyons, but the journey is deferred till the 3rd of February. The Queen is to stay behind. Prince de Conde in the absence of his Majesty is to be *caput consilii*. Mileroy is going afore to Lyons. Vicomte de Turrenne is to be his Lieutenant General. Duc de Billion [Bouillon] is to command the French army in Italy, Harcourt in Picardy and Guiche in Champaigne. Duc de Longueville keeps his Generalat over the forces in Germany. Comte de Guebrian is his Lieutentant-General. Rannaw and Gassion remain in Picardy and Champaigne. Chastillon hath yet no employment. The King is shortly expected at the Parliament for the passing of some bills and publishing of some declarations. When it is done, we shall be able to see clearly into other matters of no small consequence, for it is verily believed that his Majesty's journey is undertaken for most special mysteries of state. The old Duc de Espernon is departed this world. Longueville marries Mademoiselle de Burbon [Bourbon], and Marquis de Breze, Mademoiselle de Vallette. Marshall de Breze is proclaimed viceroy in Catalonia. The Marquis is General des Galeres and is to set out in February. The Pope hath made thirteen new Cardinals, Masarini being one of them. The Councils of this state are mainly bent to prosecute this year some notable exploits against Spain. Forty-five millions of light gold have been already minted, and all the light silver is likewise to be coined, and pieces of five, ten, fifteen, twenty, thirty and sixty 'solds' to be made.

"Amsterdam, [4-]14 January.—The King of Denmark is treating with the cities of Hamburg, Lubeck and Bremen, and seems very much inclined to favour the confederate party. The Elector of Brand[enburg] is said to be a suitor to the Prince of Orange's daughter, which is also a very great marriage, for by this means he will be fully repossessed of the lands of Gulich and Cleve, which are of vast revenues. Some great statists give out that the Lord Regents of Sweden have no mind that ever

the young Queen should marry. Time will discover all these mysteries. The Marquis of Jegondorf is to marry one of the Brandenburg ladies. The Prince of Transylvania is sending abroad a secret agent to negotiate a marriage for his eldest son and a new confederacy. Torstenson hath fully contented the Swedish army who began to grumble for want of payment, but now they are willing to obey and to march. He hath called Stalhaus to him, who was retreated towards the Odor. Duke Francis Albrecht domineers in the meantime in Silesia. The Swedish army lay yet the 24th passato in the land of Luneburg, and the Imperial in the bishopric of Magdeburg and Halberstaad. Sperrentor attempted with three thousand horse to fall upon the Swedes, but was repulsed with great losses. Hatsfield is marching towards the Rhyne through Hessen and the Wetterau. but at Andernach they intend to pass the foresaid river. The Imperialists have besieged the strong Castle of Mansfield. The 6th passato, Comte de Guebrian passed the Rhyne at Rees with all the French and Weymar forces, having been a long while hindered by the great and extraordinary inundations in those places. They are like to meet with great resistance, Lamboy being passed the Mase for no other purpose, and Hatsfield with Gronsfield having raised above twenty thousand armed boors to oppose them. The foresaid Count hath seven thousand French and Weymarians, and four thousand Hassians. He must take his quarters perforce or perish. The Palatin treatises at Vienna are said to be at an end, for Bavaria will only restore his part in the lower Palatinat, and the ambassador demands the restitution of the whole, as it was in 1618. If England doth not wonders, the Palatinat is lost. Archduke Leopold is made General of the Spanish Low Countries and Picolom[ini] his Lieutenant General. Gallas is to command again the Imperial army. By the last letters out of Transylvania we are assured that the peace between the Turkes and Persians is concluded. And to make it the more firm, the Persian Basha who some years ago surrendered Reba to the Turkes was strangled for the confirmation of it. But between Tartar Cham and the Turke new differences are arisen, who also do great hurt by their inroads into Hungaria. Our brave Houleben hath obtained a mighty victory in Africa by surprising of many castles and the great metropolis of the province of Angona [*sic*] itself, where he got ninety-five pieces of ordnance, and thirty sails of ship richly laden, with the loss of only five men. The particulars will be more largely printed, for we have not had the like victory these many years. We have also gotten another victory in the West Indies of a terrible consequence to the Spaniards in those parts." $3\frac{3}{4}$ *pp.*

[J. Dillingham] to [Lord Montagu].

[1642, January 27.]—"Thursday [20], the Lords debated the particular of Capt. Skippon's power conferred, in that he is ordered to require of the sheriff the raising what number of men

he thinks fit for the defence of the city. The Lords conceived it a very strange power. The Commons insisted upon many things, but chiefly upon the King's gracious letter. They moved the Lords that the Queen might declare who gave her the articles said to be framed by the five men against her, with the privity of the Lord Kimbolton, in regard the thing is conceived an offence of a high nature. The news of my Lord of Newcastle's being come in the King's name to take the government or protection of Hull occasioned a great free conference, which was to this purpose, that the town of Hull having refused to let in the soldiers appointed by an ordinance of both Houses, had committed a great offence, and my Lord of Newcastle, in intrenching upon the grant of the King and both Houses to my lord of Essex when he was made Lord Lieutenant of Yorkshire. Young Hotham writes a letter in which he certifies the fears and distractions of those parts, and that the rumour was hot that his Majesty would suddenly be there, and in regard there was such hurrying with posts up and down, he did believe it. The town of Hull they excuse it, and desire an agreement may be between the King and Parliament, that they may obey jointly, which is, I think, but reason, for I find that his Majesty in nothing stirs more than where the Houses determine without him, or where they intrench upon that which he conceives to be his proper.

"Friday, the Commons insisted upon their declaration, and in regard religion was to be taken in, they insisted upon the liturgy, and debated what that was that was established by Act of Parliament, which proves little or nothing. At last they voted that the not refining the Common prayer book and the pressing of ceremonies was one cause of the distractions past and present. The Lord of Bristol made report that he had met with a man that had lately been with his son, and had brought him to be examined, who confessed he saw my lord shipped in the 10*th Whelp*, and that he thought that he was for Flushing.

"Saturday, all the time was spent, and with much violence and debate, to bring forth this, that the Common Prayer Book should be refined by the Commons' House, and that they must choose some ministers to them for that end, and that no man be punished or molested for not observing the ceremonies expressed in the rubric.

"Monday, letters were read from Ireland, which report the enemy's coming into Munster and making all waste of the protestants, and do the same outrages that you have heard done in other parts, and taken the Countess of Ormond prisoner, and the Lady Kildare, if the report be true, miraculously delivered out of their hands after she was appointed to die. Watterford and other places of wealth and strength yielding to the enemy, not striking a stroke, and might not all this have been prevented but for wicked prelates, and others. The rebels have received relief, or its going to them, both from Flanders and France. A great fight hath been in Ulster, where many hundreds of both sides have been slain, and many Scots of quality who went as

volunteers to help their countrymen. There have been some of the rebels cut off before Treda [Drogheda] by the valour of the Governor, and more by a stratagem, for having in fight cut off some that were entered the town, he made show as if they were victors, and opened the gates and let in two or three hundred of them and cut all them in pieces. The Commons sent to the Lords for answer to the request that the places of strength might be secured in the hands of men of undoubted fidelity, but they refused, and the major part was against it, but the other protested. The Commons received a petition from the gentlemen of Devonshire of a sharp nature. They sent to borrow 100,000*l.* of the city.

"Tuesday, the Commons had a petition from Hartfordshire and one from London. That of London was a brave one. These with others Mr. Pim went up to the Lords with, and made a home speech to them as ever was made this parliament. It is to be printed. The Lords rose immediately, but I suppose that was to accompany out of town that mirror of women, the Lady Mandiville. The Commons resolved to send twelve men to the King to let him understand that the Lords had deserted them and to desire his help. They perfected the accord for sending two thousand five hundred men, and made some progress into the rest that are to go, for that is all that is fully concluded, and do not you think that had this expedition been against the Scots, but twelve days would have brought out as much as twelve weeks hath against the rebels in Ireland. . . . The Londoners in their petition wherein they refuse to lend the 100,000*l.*, intimate to the Lords that the people cannot in all probability be kept from rising, and then, which God forbid, what might those Lords expect that were averse to the House of Commons.

"Wednesday, the Commons took Captain Penington's fair excuse for passing my Lord Digby either to France or Holland, which he pleased, under the King's hand. Thus you see how his Majesty gives up delinquents. They voted all the great officers' fees, as 10*l.* a day to the general and four to the rest. Mr. Solicitor brought in the bill for Poundage and Tonnage, and was terribly 'rottled' for his pains. The order for the two thousand five hundred Scots, being sent to have the royal assent, is returned, his Majesty peremptorily refusing that they have the strong places for retreat.

"The Lords sat while ten at night about the speech of Mr. Pim the day before and chiefly insisted upon the securing the strengths and defensive posture, and were ready to draw, the major part still refusing, but the other declared that they would go and sit with the Commons and publish the other Lords enemies to the good and safety of the kingdom. The Duke of Richmond had like to have been called to the bar.

"This Thursday they intend to fall upon the Attorney, to consider of his Majesty's refusal of the Scots and our accord for the towns of safety, and expect the twelve men back that went to Windsor. Unless there be some yielding to the House of Commons, all will suddenly be on fire. The King remains the same, saith

he will consider whether to proceed against the six men in Parliament or at King's Bench. There will be all haste made to set things straight lest an enemy approach at Spring." $2\frac{3}{4}$ *pp.*

——— to John Dillingham.

[1642, Jan.? Chester.]—Your news is so bad that it almost made me sick to read it. "The news hither from Dublin concerning Ireland is also very bad. But we hear not yet of the same cruel proceedings in Munster that there hath been in other places. It was easy for Waterford to be taken by them, where almost all the inhabitants were papists, and there was no more to do but only to agree to keep the town which they possessed." Drogheda was relieved with necessaries from Dublin by Capt. Stutvile in the pinnace. In coming back she grounded, and was entered by the rebels, but they were beaten out with granados. The town had like to have been lost, for three hundred of the rebels were let in by some there through an old door in the wall between eleven and twelve at night; but on being discovered they were all slain or taken prisoners, with a loss of only four of the garrison. Since then the governor, Sir Henry Tichbourne, has made divers sallies and killed seven or eight hundred with little or no loss. "Here we see daily sad and miserable spectacles of those of Ireland who have fled only with their lives to save them. Many gentlewomen, whose behaviour assures that they have been of good quality, are glad to receive an alms, and some of them have offered themselves in service for their subsistence, having been left to their very skin in the wide world." The town is full of Irish and soldiers, and money is expected on Monday for the transportation of the Lord Lieutenant's regiment. The soldiers all behave very well; they go forth to exercise every day "and many of them—even of the foot—are proper genteel men. In the country they say they are not so well ordered, but will eat more pigs and geese and hens than they have money to pay for, and therefore must have credit for them till they grow rich by their valour in Ireland." I am come here to a very bad market, for wheat is 7*s.* a Winchester bushel, while in London it is 4*s.* Cheese and butter I can buy very well. Oats are as dear as in London. I must get bread in London, as corn is cheaper in Dublin than in Chester. I will write to the Committee about it. Yesterday Sir ——— Hamilton came out of Ireland "against the mind of the Lord Justices, and is returning with a letter to the Earl of Ormond, none to the Lord Justices." I pray you to tell me whether in the new bill for Tonnage and Poundage, Sir Henry Vane, jun., is named treasurer of any part thereof, for the use of the Navy. $1\frac{1}{2}$ *pp.*

Addressed. "To my very loving friend, Mr. John Dillingham, these. At his house in Bolt and Tun yard in Fleet Street, London." [*Probably enclosed in Dillingham's letter of Feb.* 12.]

[J. Dillingham] to Edward, Lord Mountagu of Boughton.

[1642, Feb. 12?]—"This being the last week of the term, and Mr. William being in town, I shall refer you to the diurnal for what passed the last week, in which you will not find above three lies, but many truths left out.

"Monday, the King's answer came, which is to this effect. He desires to know the power they shall have that shall be put into the places of trust, and for how long, and that he will have his exceptions, &c. The thing is at large to be had. He puts also to their consideration the Queen's desire to go to see her daughter settled in Holland, and for the six men, he saith as he saw cause to charge them, so to quit them any way they should think of.

"My lord of Lester was ordered to put out of command Sir John Netersfeild because a papist, and to put the Lord Folyott in his place, and likewise to put out Sir George Hambleton because a papist. This day a Committee was made to consider of the Earl of Antrim's countenancing of the rebels, and upon a proposition of the Scots Commissioners, at the request of the Marquis of Argile, it was ordered that the regiment of the Marquis of Argile, being fifteen hundred, should be forthwith sent to land in Ulster upon the main land or some island belonging to the Earl of Antrim, and that they receive pay from the day of muster there. They resolve likewise that if the Earl of Antrim be found in the rebellion, that then the 6,000*l.* *per annum* now paid to the Duchess [of Buckingham] his wife, be transmitted to the service of Ireland. 2,500*l.* in part of more was ordered to be paid to the Scots for the buying a thousand horse for the drawing the carriages and for the expediting of business before the army as dragoneers. These are to be sent over before the other. This day the bill for the outing bishops of the Lords' House was sent to his Majesty. The Commons take no notice of the Queen's journey. They have voted that for the time, those they commend shall remain in the strengths until by Parliament his Majesty be advised to the contrary. For the militia, it is to be so as to oppose any foreign invasion or domestic insurrection, and for the three of exception they allow the King, they voted Sir John Conyers to be lieutenant of the Tower. Its believed that man has done good secret service, for my lord of Northumberland and Mr. Pym are for him. I pass by the famous acts of young Mr. Sawyer, how he took a knife and held [it] to the throat of a poor man that cries brushes, and made him upon his knees bow at the name of Jesus, pray for the Pope, and that God would make all England of that religion, and that God would confound himself and all citizens, and to pray for and towards Cheapside cross, and the punishment of expulsion and 10*l.* fine by the House, to those that will write the story at large to your honour. The news of Ireland and Chester and from beyond seas, you receive enclosed.

"Tuesday the Commons debated whether they should have an ordinance of both Houses for the defensive posture or a bill, but resolved on the latter. They received a letter from his Majesty,

in which he declares that he conceives he is wronged in a speech of Mr. Pim's in which it is said he gave warrant to some to pass into Ireland contrary to an ordinance of the House, which men were after seen in the head of the army. His Majesty returned answer that he would consider of the bill for the Bishops' outing. This occasioned a Committee which was to draw reasons for expedition in that business from his Majesty. The first was satisfying the multitude, the second the taking away the obstruction they make, by factions they make in both houses, the third a hope by this will be in both Houses and the kingdom shall be had [*sic*] that his Majesty will take off other grievances." 1 *p.*

[J. Dillingham] to Lord Mountagu of Boughton.

[1642, April, between the 12th and 16th.]—"The printers being frighted, the diurnals cease, which, though to me trouble yet joy for I endure not news common. The days past this week affords great affairs. His Majesty having received a petition from the Sheriff and others of Yorkshire, makes a speech, and after gives an answer, both so concurring as if, say some, it was made by consent of parties. These begot another petition from the same party, which is sent to the Lords and Commons, and was hoped by the royal party would be as full as Sir Edward Dearing's. This is plausible in all but one phrase, which was this. They thought their former petition should have begot new overtures from his Majesty and not a reference to the 20th of January. This, though short, gave his Majesty to know what he was like to expect there. Other attempts were made, as bonfires upon the day of inauguration, and some dislike secretly shown by Sir John Hotham and others in York to them. The multitude are stirred to fall upon the puritan party and then taken off, but so as to abate nothing of their courage, and when all will not do, Monday comes a message to the House of Lords wherein is declared his Majesty's absolute determination for Ireland in person, for which expedition he desires but two thousand foot and two hundred horse, to have arms from Hull for them, promising to allow no toleration of Popery nor to do anything contrary to the laws there established. As for the Militia, he hath appointed his Attorney-General to draw up a bill, which, if they refuse, let all the world judge between him and them, and for going on in Parliament, he would appoint Commissioners, who should pass bills. This when the Lords sent to acquaint the Commons, they were pleased to style it the business of greatest concernment that yet was this Parliament. The Commons and Lords agreed to put off all speech of it to Wednesday, and in the interim, labour to dispatch the remonstrance in which the King's last printed answer is answered, and likewise sent to the Lords to hasten the dispatch of the declaration, consisting of the grievances and the remedies, [and] resolved and sent up the bill about scandalous ministers. It seems to bear this much, that any three Commissioners in a county may require the sheriff to send in a jury who are to try the delinquent, which if they find guilty, the Lord Keeper is

forthwith to issue out a new presentation. This is to be acted in the chief town or towns of the county. I wish the number of three be not too few. As for the liturgy, you see what is done in print, but the 'strait' is this. If we show favour to the liturgy we lose the ante [*sic*] party, if we please them the multitude is incensed, therefore suspension is best. As for his Majesty going into Ireland, some are of opinion that he will not go, only to make it a colour to raise men, but I differ from them. Others say, and as unprobable, that he will fetch hither the Irish power, but sure the design is no more but to deliver the rebels from intended extirpation by some kind of accord, for those people were undoubtedly set on by some who must have their credits preserved, which, if the Irish be not delivered, they have no reason to do; and were this done, which the Parliament will never agree unto, his Majesty, I believe, would be more pliable to the Parliament, much more than otherways he will. Tuesday, the Lord Chamberlain and lord of Holland delivered up their staff and key, and because the Lord Keeper would not do it, my Lord Falkland did. The Lords passed two votes, the one that the lords who were stayed by vote of Parliament did none offence to his Majesty in not going to wait at York. Secondly, to displace a servant obeying the Lords' order in Parliament was a high breach of privilege of Parliament. From Ireland we have not much. Sergeant Major Berrey is shot, as was Sir Simon Harcort, a man of great worth also. There is some kind of siege of Kinsale, but not formidable. . . . .

"This instant I hear that his Majesty is raising his foot and horse, with which he intends to pass to Lanckeysheire and so to Ireland, if the wind or mind alter not. The Duke of York is gone. The Lord Marquis Hartford is sent to and directed to take the Prince into his custody, or to return by such a day. The Commons have voted that whosoever shall take the places of my Lord Holland and Essex shall do a dishonourable act, and be thought unfit to be entrusted in any office of weight in the Commonwealth. The Commons, as to his Majesty's message, have voted that it is dangerous and unsafe for his Majesty to go to Ireland, and I hear the Committee of Lords and Commons to which the message was referred have agreed that for any forces to be raised without consent of Parliament, that such forces in arms shall be adjudged enemies to the weal public, and that being raised, it is lawful by force to dissipate them, and that the sheriffs of several counties have notice forthwith given of the opinion of Parliament. My Lord of Salisbury hath had a dispensation from the King against the order of Parliament, but he is resolved not to obey it."* 2 *pp.*

William Mountagu to his father, Lord Mountagu, at Boughton.

[1642,] April 21.—"You have most justly hit upon the Commons encroachment upon your Lordships in the bill of 400,000*l.* I told my brother of it so soon as I read it, and had

*Compare George Montagu's letter in the Buccleuch Report, *p.* 297.

thought to have observed it to your honour, but I knew you would find it out. I know my cousin Palmer will wait on you as he goeth to London; if you be pleased to speak to him to have a care of your business about Serjeants' Inn, I hope this term may afford a time for the following of it. My cousin George shall receive your honour's remembrance. He told me he had sent you Wednesday's votes, and so I have not sent them. His father* 'pets' and fumes extraordinarily at home, but yet votes right in the House, for he both voted Wednesday and Thursday's votes and likewise the reasons sent by my Lord of Stamford. He is much out of tune of late. I imagine it is out of some hint that a gentlemen gave him of late that things were concluded on between my Lord Mandevile and Lady Bevile, that Sir Thos. Cheeke was to give her 3,000*l.* more than Bevile left her worth,† but I hope it is but a false alarm, for my lord Mandevile denieth it utterly. But most of his friends much fear it, for I hear of none that thinks it a fit match unless it be your lordship. Now the militia is like to be settled according to the King's offer, most thought there would have been an agreement, but this Hull magazine may produce a new jar. The [members] sent with the dissuasive reasons about the King's going into [Ireland] are not yet returned. Sir John Culpepper undertook to pr[evail?] with the King both in this and other matters of accommod[ation.] I hope those reasons may stop him, but as yet he is fully r[esolved] of it, for the Queen, being set on by the Pope, labours her [utmost?] to save the extirpating of those papists in Ireland who they know are not able to resist the forces intended. She assures the King, upon his going and pardoning them they will lay down their arms, and so their plot is to have them still remain. The Parliament know of this, and are the more set upon extirpating than ever, and challenge the King of his promise that he would refer the managing of the Irish wars to them. And sure the blood they have spilt requireth their blood again." I humbly present my duty and beg your blessing. *Seal of arms. Torn.* 1 *p.*

[J. Dillingham] to Lord Mountagu at Broughton.

[1642, April.]—"This week is a week of little business. The King's Majesty, since his high answer, sent only a declaration that he will not have my Lord of Warwick go to sea, and yet the Lords and Commons resolve he shall. I wish and some say the Earl of Northumberland shall go, to compose that difference. There is a declaration composing to satisfy the kingdom, and chiefly in matters of religion, and to take off those oppressions which lie upon the House, which will be without any declaration of an intended Liturgy or against the lay preachers, though by some much urged that party is the surer though not the greater, only the Synod is to consider. The Kentish petition is prosecuted in the county and the people are much enraged that they have

* The Earl of Manchester.

† Essex, daughter of Sir Thomas Cheeke, and widow of Sir Robert Bevill, became Lord Mandeville's third wife.

received any interruption by the Houses. Sir Edward Dearing hath a second time stept aside, which is much displeasing to the Houses. Whether the militia will be prosecuted or not I know not, but wish it were suspended until their more full discoveries, because it's said that business is only justifiable in case of apparent danger. For the business of Ireland, it's still good and bad. The brave knight, Sir Simon Harcort, was shot from a castle and killed, and the castle after taken and six hundred put to the sword, but one escaping. Sir Henry Tychborne hath to the northerly taken two towns and killed five hundred men, and taken three pieces of ordnance. Two small vessels are come with about five hundred arms from Bilbo in Spain to Munster. There is a letter that tells of two ships that are in Scarborowe road that are thought to be Dunkirkers. They will not be boarded by any. The courtiers whisper strongly a foreign power, but I believe them not. The Lords Privy Counsellors and Ministers of State are all voted null in the Lords' House, which, if they have the consent of his Majesty to those they shall nominate in their stead, they have done as good if not a better work [than any] since they came together. There are letters to be drawn up and to be sent to the Great Council of Scotland shortly to appear or assemble, which consists of thanks for respects and endeavours to keep them a party. An act of explanation is passed to the Lords. It relates to the business adventure for Ireland, which is in the ebb. There should be six thousand men sent to Munster, had we money. The adventurers are to have the nomination of all officers. I can say nothing what issue things will have. When the Lords of Council transacted all, we had things one way this week and the next another way, but still all went to the loss, now they are so, but I hope to the better. I think the future times will be as a family in which is a froward wife; we may 'brale' and scold, but there will be few blows, only a continual dropping, so that little will grow, but were we 'shut' of our scandalous ministers and rotten heads of colleges, we should grow unanimous and much better." 1 *p.*

[J. Dillingham] to Edward, Lord Mountagu, at Boughton.

[1642, May, between the 9th and 12th.]—"His Majesty's message on Saturday [May 7] is the first of any moment since my last, which message was high, and higher than any before. He demands justice against Hotham, quotes Pim in several places, and, appeals to them whether ever any of his predecessors were used as he hath been, and said they talked of a malignant party, but it was sure with them.

"I am assured that the Commons fell not short, but one of them* said sure this message was from some ordinary man, not from the King, and if [*sic*] it were not fit he wore the Crown longer, but for this he was chid, but the House resolved upon an answer, and some moved that the answer give his Majesty to know what hath been done to other kings for less faults than his and that if

* Sir H. Ludlow.

he comply not, they must be constrained to proceed to a new election. The lord of Essex this day moved that the evil counsellors might be named, and that if the Commons would not, that then they would bring it to their door and let it rest upon them.

"Monday, letters from Ireland speak of more good successes, and that some horse and foot are going into Munster to relieve Kinsale, and a letter was brought to the House writ by Sir Phlemon [Phelim] O'Neale to the Scots' General, in which he saith, if they be for the King, then they are with them, but if they be for the Parliament, they will do all they can to ruin them. Letters say from the North that his Majesty summons again all the gentry of Yorkshire to meet him on Thursday next. They write also that his Majesty sent to Newcastle commanding that they let no force in without his warrant. This day it was resolved to sit but two hours the next day and to go all after to see the first fruits of the Militia of London in Finsbury fields. A conference was to desire the Lords that [first] none have any office of command whose wife is a papist; the second, that in Monmouthshire the arms of that county may be put into the hands of faithful men, the disarming the papists not being there done as in other counties; one other about the affront put by the Spanish ambassador, who, when the messengers came to take the English papists that went to mass to his house, he sends out his men crying 'kill the rogues.' This is to be considered by a Committee of both Houses.

"There are no evil counsellors to be named until the Houses receive letters from those Lords and Commons that last were sent to York, yet there are the names of many evil counsellors known, who have informed the King to the wrong of both Houses. I saw these names in a paper. One Sir Robert Rich and one Benitt in the House of Lords, one Salter and Higham in the Commons' House, one Bramston, the Lord Chief Justice's son, the Recorder, one Archer of Grey's Inn, one Rich of Lincoln's Inn and one of the Temple and one Serjeant Jarmin, with divers others. These, some have writ that the Synod are half traitors; others, that the Parliament have done this and this, contrary to law. There are also certain eminent of both Houses to be poisoned, and parties set on work to do this. These men and particulars, with much more, is discovered by one Bainam, if I mistake not the name, for I read it only, but could not obtain a copy. Sir Edward Askew and others that with my Lord of Stamford went to Hull have likewise discovered those that advised his Majesty to set Sir John Hotham's house on fire and destroy his wife and children. Other great things are found out. The French ambassador hath order to tell the House of Commons that his master takes notice of his sister's departure out of England, and that if she return not, he can do no less than send for her into France. His Majesty of France's ambassador deliver [ed] a message to the Lords to this purpose, that he, having long been at peace with this nation, wonders that a treaty should

be with the Emperor for a war offensive and defensive upon condition that the Palatinate be restored. His Majesty persists in requiring Hull and for that purpose I hear a new message is come or coming. I am assured from a good hand that in Lanckesheire and Chesheire, the puritans are able to encounter the papists and that the protestants are rather for the puritan party than the popish. This you may build upon, for my author is very good. Good my lord, let none see this letter besides Mr. Shirley and Mr. Estwith." 2 *pp.*

[J. Dillingham] to Lord Mountagu.

[1642, June 9.]— . . . . "The enclosed was a letter sent to me, which for the public good I caused to be printed and addressed as you see. There is only this more. The relation in the letter being by Mr. Rushworth declared to the Houses, a committee was appointed (the Houses having before voted the Lord Linsey and Savill enemies to the State and dividers between King and Parliament, and resolved to force them and other delinquents now by his Majesty, kept from condign punishment, from his Majesty, and to take them and punish them) to consider of a way, which, as I am informed, is to raise voluntary horse, and that as many as come in, and they under the command of my Lord of Essex, to march and take to them the trained bands of Lincoln, Yorkesheire and other near counties, and there do what you may guess. The ten lords that were sent for to appear at the Lords' bar have all but Sallybury returned answer that they have the same command lies upon them that called them down and so they bid them farewell. The lords are sick of his Majesty's service for sure, but they dare not speak a word, for when his Majesty moved that they would reside there to add life to what he should publish by their subscription, the Earl of Sallybury only said he was willing to lay down his place, but to serve his Majesty so as that he must neglect the Parliament he durst not. All the rest were dumb and if they play not their game well, are like to be worse.

"Yesterday [June 8] certain propositions were made from the Commons to the Lords for raising of horse and foot for defence of the Parliament and Kingdom and that because preparations and arms were multiplied in a secret way by the ill-affected to the Parliament, and his Majesty did persist in his way of raising men, &c. A letter was read from the Lord Willobie of Parrum which was in answer to one sent to him by his Majesty to desist the execution of the militia, imputing it to an error of his young head and promising pardon. The Lord answered that it was an ordinance to which the grave and learned Lord Keeper and Lord Bankes assented and the rest of the grave counsells of Parliament, and to his last blood he would bide by what he had done and proceed. . . . [There is] a letter from the lord of Warwick, who had at his first days appearance in Essex five hundred volunteers bravely accoutred, besides the trained band. We hear that Sallybury, Clare and two

or three more are come from York last night. The cardinal Richelew is near death, which will sure put end to differences between France and Spain, which will be a million's damage to England, who must engage. The army of Spanish that gave the defeat to the French are like to do more hurt in France, being marched into Champaigne. The Swedes prosper for present. They are in Silesia. The Prince of Orange doth nothing. Guebrian, with the addition of many thousand Dutch, is about Lutich [Liege]. He intends to come to Kerpen, as I conceive by way of diversion. Many fearful sights have been seen in the Pallatinate. The Emperor juggles with the Prince Elector Pallatine. There is an exact relation of the actions of Ulster printed, which are not wonderful but almost miraculous. The French King is yet before Perpinian. All the towns held in the East Indies by the Portugalls are come on to the new king. The marriage between Brand[enbourg] and the young Queen of Sweaden will sure be. The Queen of England is in the field with the Prince of Orange." 1½ *pp.*

HENRY MANNERS to [LORD MONTAGU].

1642, June 22. [London.]—"Though I am not ignorant you have the daily occurrences from hence, yet in relation to your Lordship's guest, whom I am most obliged to revere, I beg leave of your Lordship to cast my gleanings into your Lordship's crop. That the distractions not only continues but grows more formidable, is too apparent, yet is there hope in Israel, and truly I am in the same opinion I was from the beginning, in God I trust, we shall lose no blood. Undoubtedly it will not begin from hence, and of the King's disposition, which is gracious, I cannot expect anything but good. From them which is called the malignant and evil counsel, after all their trials and counter plots they want power to gather force to work their mischievous imaginations. Two of the committee from York are returned, my Lord Howarde and Sir Philip Stappleton; they are confident they have left the body of Yorkeshier immoveable to King and Parliament. Indeed the preparations for prevention are great here, but I am confident will not prove hurtful. The particulars, I presume you have from better hands. The three arch Irish rebels, which came hither upon Sunday, the two natives of that kingdom were apprehended upon the first design on Dublin; Col. Rede, the Scotchman, sometimes a servant in ordinary to the Queen, he was taken afterwards, in a skirmish before a castle. This man has been racked, all their depositions were sent over long since, and themselves should likewise have been but were forborne from reverent respects, till the times now growing worse (I am bold to speak in your ear) their depositions are believed will trace into such privy chambers as I shall not have access. The Earl of Antrim is likewise taken, in this manner:—Mountro [Monro] the Scottish Commander, marching in his country and towards his castle, the night before he came thither, the mother of Antrim, Teron's [Tyrone's] daughter, with his bastard brother and sisters,

conveyed themselves forth of the castle. The next morning, at Mountro his approach, Antrim surrenders himself and the castle unto him. It is the strong castle of Dunluce. Whosoever are adversaries to my Lord Ros I wish they may fare no better than he is likely, though I could compassionate his wife, who, as I hear, came to Garradon on Friday last, not without distresses.

"All Antrim's stem are forth in the rebellion. My Lord of St. Allbon's achievements are now diversely spoken, as inclining to neutrality, the places which he hath taken in treating with him for toleration. I cannot learn but that my Lord of Salsbury came from York without any willingness of the King, and with very little leave-taking. The next day after his coming to Hatfeild, he sent to the Lords desiring to make his apology for going to Yorke, but not at the bar, which was not hard to obtain, yet I am informed he must be a venturer amongst them at the Guildehall for the raising of horse, and desire to exercise the militia in those counties he formerly undertook, before he have full confidence.

"My Lord of Clare has also left York, and others are believed will follow. I am confident divers of the sad and sober Lords there does endeavour to their utmost with the King for accommodation, and may prevail, but there is an adverse party which is yet as well heard, and nips the buds of many hopes. The best that I now observe and the speediest is that the Queen desires to return and secretly endeavours a welcome, whereunto I believe the King will not gainsay.

"Here is a great rumour of a discovery of a most ugly conspiracy in France against the Cardinal's life, and to that King's extreme prejudice and danger, fomented beyond the sea in an English Jesuits' College, upon which it is reported some of our English, late flying gallants, has removed out of France, but I cannot sufficiently dive into the mystery to write further to your Lordship. For the printed intelligences, I know your Lordship will be fully stored, and that part which is truth is the surest intelligence of the business here, but oftentimes may need a comment. Now my Lord, I am come to an end. As I beg God's blessings on you and yours, so I beseech your pardon, but I have left that petition to her whose creature I am." 2 *pp.*

Postscript. "This afternoon a great uproar had likely to have happened to the city, about a new proclamation published against the Militia, and bringing in of moneys and plate into the Guildehall."

Endorsed by Lord Montagu, "Mr. Manners' letter."

CHARLES I. to the COMMISSIONERS OF ARRAY in co. Northampton.

1642, July 4. Court at York.—Instructions to Spenser, Earl of Northampton, Mildmay, Earl of Westmorland, Edward, Lord Mountague, Sir Christopher Hatton, K.B., the Sheriff of the county, and the rest of the Commissioners for putting in

execution the Commission of Array, the charge being especially given to the four whose names are mentioned. *Copy.* 2 *pp.**

EARL OF WESTMORLAND, LORD MOUNTAGU and SIR CHRIS. HATTON, to the HIGH SHERIFF of Co. NORTHAMPTON.

1642, August 8. Welldon.—Requiring him to give notice to all the Commissioners of Array that they intend to be at the sign of the Swan at Kettering on Monday next, Aug. 15, to impart the commission and instructions received from the King to the rest of the Commissioners, who are not to fail to attend. *Copy.* 1 *p.*

Overleaf,

List of Commissioners.

q † Spencer, Earl of Northampton
q Mildmay, Earl of Westmorland
q Edward, Lord Mountagu
William Montagu, Esq.—*est*
Sir Lewis Watson, Bart.—*est*
Sir Jo. Isham, Bart.—*est*
Sir James Enyan, Bart.—*n*
q Sir Chris. Hatton, K.B.
Sir John Lamb, Kt.—*est*
Sir Rob. Banastre, Kt.—*n*
Sir Thos. Cave, sen., Kt.—*n*
Sir Rob. Hatton, Kt.—*est*
Sir William Wilmer, Kt.—*est*
Sir Edward Watson, Kt.—*est*
Sir Ant. Haselwood, Kt.—*est*
Sir Edward Griffin, Kt.—*est*
Sir Wm. Fleetwood, Kt.—*e*
Edward Cecil, Esq.—*e*
Rob. Mildmay, Esq.—*n.*
Charles Cockayne, Esq.—*e.*
Richard Lane, Esq.—*n.*
Charles Edmonds, Esq.—*n.*
Thomas Dove, Esq.—*est.*
Jeffrey Palmer, Esq.
Jo. Barnard, Esq.—*n.*
Wm. Downhall, Esq.—*e.*
Edward Palmer, Esq.—*e.*
John Syers, Esq.—*e.*
Martin Harvy, Esq.—*n.*
Thomas Jenison, Esq.—*est.*
Edward Onely, Esq.—*n.*
Wm. Tresham, Esq.—*e.*
John Wyrly, Esq.—*n.*
Thomas Elmes, Esq.—*e.*
Richard Kinsman, Esq.—*e*
High Sheriff of the County.—*est*

* See the King's letter to Lord Montagu, Buccleuch Report, *p.* 307.
† Of the quorum. See above. Also *p.* 158, below.

THE COUNCIL to LORD MOUNTAGUE.

1642, August 10. Court at York.—Requesting him, in consideration of his Majesty's pressing occasions, to send to Sir Wm. Uvedall, Treasurer of War, the remains of his promised subscription for the payment of horse. *Signed by the Duke of Richmond and Lennox, the Earl of Lindsey, Viscount Savile, Sir John Culpeper, Sir Peter Wych and Sir Edward Nicholas.* 1 *p.*

Endorsed by Lord Montagu, "Received this letter, 22 August, 1642."

[COMMISSIONERS OF ARRAY for Co. WARWICK to the COMMISSIONERS for Co. NORTHAMPTON ?]

1642, August 11. Warwick.—We send the bearer to impart to you our proceedings at Banbury and Warwick. "And having heard of your late worthy resolutions for the defence of his Majesty's person, the true protestant religion, the known laws of the land and the just privileges of Parliament, wherein we are most ready to join you, we can do no less than acquaint you that there are certain forces already upon their march from London towards these parts in opposition to his Majesty his regal authority and disturbance of the peace of this kingdom, whereby we are all in danger to be embroiled in a civil war if timely prevention be not had."

We therefore pray you to join with us to resist such power and to have your forces in readiness for that purpose.

Postscript. "Since the writing hereof we have had certain intelligence by letters from York that the King will be speedily here in person with considerable forces, by the end of this week, expecting the assistance of the adjacent counties, which assures him and us of a prosperous success. *Signed,* Northampton, Dunsmore, Simon Clarke, Spencer Lucy, Roger Feildyng, Richard Chamberlayne, Robert Lee, vi. com., Robert Fisher *and* Robert Arden. 1 *p.*

With note by Lord Montagu, "We sent a letter to the Lord of Northampton, but I have no copy of it."

EARL OF WESTMORLAND, LORD MOUNTAGU and SIR CHRIS. HATTON to SIR GILBERT PICKERING, SIR RICH. SAMUELL, JOHN CREW, EDWARD HARBY, and CLIFTEN CATSBY, Esqs.

1642, August 15. Kettering.—We have not yet put the Commission of Array in execution, for having summoned and met the rest of the Commissioners, we received your orders to desist. "You have sent divers warrants to call in the trained bands and others to appear before you, and have trained them and have kept their arms, sending themselves home again." We therefore require you, on his Majesty's behalf, to restore such arms "that with joint consent we may cherish the peace and quiet of the county," and to desist from further proceedings, when we will

likewise forbear the execution of the Commission until we hear further from his Majesty. *Copy.* 1 *p.*

Endorsed by Lord Montagu, "Our answer to the warrant of Sir Gilbert Pickering."

[Commissioners of Array?] to the High Constables of co. Northampton.

[1642, August, between the 12th and 18th.]—Requiring them to issue warrants to the petty constables of their hundreds to warn the gentry and all persons who have arms, to present themselves "before us" at Oundle, on the following Thursday [Aug. 18] "the King's Majesty having set forth his proclamation, dated at York, the 12th of August, requiring all his subjects upon their allegiance to attend his person upon Monday, the 22nd of this instant August, at Nottingham, where and when he intends to erect his standard royal, and in his just and necessary defence to advance forward, for the suppression of a rebellion and the protection of his subjects from the burden and insolency under which they cannot but groan till they be relieved by his Majesty." 1 *p.*

Commission of Array.

[1642, August.]—Paper endorsed "Satisfaction concerning the Commission of Array;" setting forth that it is far short of the power given by the former Commission of Lieutenancy; that the Commission for co. Northampton is committed to "near forty of account or any three of them, whereof the Earl of Northampton, the Earl of Westmorland, the Lord Mountagu and Sir Christopher Hatton must be one," [*sic*] while the ordinance of the two Houses is committed but to one Lord and to any one of his lieutenants, "and yet the one is applauded and much stood for and the other distasted and murmured against," and finally that so far, nothing has been done but to summon the Commissioners to meet and consult at Kettering on August 15 "and therefore people might have spared their censure till they had seen what had been done." 1 *p.*

Mrs. Mountague.

1642, September 3.—Burial dues paid for the funeral of the honourable Mrs. Mountague [at St. Bartholemews the Less, Smithfield] amounting to 1*l.* 2*s.* 4*d.* Receipted. 1 *p.*

Charles I. to Sir Edward Leech.

1642, September 14. Court at Darby.—Desiring him to lend the sum of 1,000*l.* as "though we are unwilling in the least degree to press upon our good subjects, yet we must obey that necessity which compels us in this public distraction, when our own money and revenue is seized and detained from us, to lay

hold on any thing which, with God's blessing, may be a means to preserve this kingdom." *Sign manual.* 1 *p.*

Addressed, "To our trusty and well-beloved Sir Edward Leech, knight."

S. Ball to [Edward] Mountague.

1642, October 20. Ditton Park.—Requesting him to send his coach for Lady Winwood, who wishes to remove to London in consequence of the troubles abroad, Prince Rupert now advancing upwards and said to be already at Coventry, and the High Sheriff of the county having sent to gather what strength he may at Stony-Stratford. ½ *p.*

Addressed, "To the honourable Mr. Mountague, at his lodging in Mrs. Paye's house, at Westminster, St. Margaret's Lane."

[Montague] Earl of Lindsey to [Lord Montagu?]

[1643?] January 8. Grimsthorpe.—Acknowledging his kindness, regretting that he has found his rents so abated that they hardly pay the assessments, and stating that he is about to sell some timber, from the proceeds of which he hopes to satisfy his Lordship. 1 *p.*

News Letter.

[1643, March, Paris.]—*First part wanting.* [The Jesuits? are] increasing daily. They are like to undo the Sorbonists, who have hitherto opposed them and the Pope, and they will never rest until they have made an agreement between France and Spain. "The Hugonots here will shortly be in a most woeful condition, especially if the Parliament of England use any more rigour than formerly they have done against the Papists there or the Queen, for they watch but for such opportunities and seeming pretences."

Amsterdam, March 18. It is said that the King of Denmark means to go to sea in person upon some great enterprise. "As for his designs for England, it is believed that underhand he will endeavour to do what he can to assist the King, but will never engage himself very far in any open way against the Parliament except he may do it with consent of his Kingdom. . . . But why doth the Parliament of England delay so long to clear the justice of their cause and proceedings in some 'manifest' or other towards foreigners? The King hath a great advantage against them in this particular, who hath laid very heavy crimes upon them at Franckfort and other assemblies and Courts of Princes, by large and plausible informations, &c."

Picolomini having come up to relieve Freiberg, the Swedes were forced to quit the siege, but are gathering their troops ready to do battle. "It is certain there have been fiery and bloody apparitions of rods and a sword seen again over the

city of Leipsigk, which always have portended some great action or other." The Brunswick treaties draw to an end. Hostilities are begun again in the Bishopric of Cologne, the clergy refusing to pay the contributions agreed upon. "The brave Lady of Hessen sends new supplies to her army, which has prospered greatly these many months." The French and Austrian ambassadors are at the great Swiss Diet at Baden. This week there has been a happy conclusion in the great meeting at the Hague, for after hot contests between the gentry (most of whom side with the Prince of Orange) and the cities, it has been carried that the General States are to have from henceforth a more limited power, according to the oath and articles agreed upon, as soon as the States have ratified the same. *Imperfect.* 4 *pp.*

NICHOLAS ESTWICK* to EDWARD MOUNTAGUE.

[1643?] April 3. Warkton.—It is no marvel that, in a great collective body like the House of Commons, all are not of one mind. "For my own part it repents me not that I never incited any to be active in these our unhappy differences, and that I have never put up one petition to the throne of grace for war, but have always by my prayers laboured to prevent the kindling of the flame before it broke out, and to quench it when it was kindled, and it is matter of joy to me and will be, I doubt not, comfort to your honour, that, as I hear, you do promote, what lies in you, the peace of the Kingdom. We do already taste the miseries of civil war and if there be not a speedy and happy accommodation, this fire, in likelihood, will be a great flame all over the Kingdom." To whichever side victory falls it would not recompense the loss of the Kingdom, and thus I trust that "peace by a treaty" will continue the truth of our religion and make us a happy nation. My wife sends your Honour a cake, and we present our humble duty, committing you and all your sweet children to the protection of God. 1 *p.*

Addressed, "To the honourable Mr. Edward Mountagu, at Mrs. Lancaster's, in St. Margaret's Lane, near Westminster."

[MONTAGUE] EARL OF LINDSEY, to his Uncle, LORD [MONTAGU?]

[1643?] September 3.—Requesting his wonted kindness for his uncle and Sir Thomas Trollope. 1 *p.*

SIR GILBERT PYCKERING to [EDWARD MONTAGU?]

[1643?]—The Committee has received orders from the Parliament to demand certain sums from some lords of the county, and to assess some other persons at a twentieth, distraining in case of refusal, but "we find the estates of persons obnoxious to the Parliament made over to such of their friends or children as have deserved well" from it, by which means the orders become fruitless. The Committee desire me to say that

*Rector of Warkton.

such goods are were fetched from Bowton and are still here may be returned upon a reasonable price "and if any other way may be suggested whereby the fine assessed by the Lords may be levied and yourself less prejudiced, they shall be most ready to serve you in it. Sir, I know not how these occasions may render me to you. Certainly I am not without sense of those favours with which you have been pleased to honour me, nor shall ever, I hope, decline any opportunity of approving myself your most faithful and most humble servant." 1 *p.*

ELIZABETH, LADY WINWOOD, to her son [in-law] LORD MONTAGEW.

[1648,] July 5. Ditton.—The buck you sent me came very sweet and good, and is the first venison I have seen this season. I return many thanks for it. "Your sons were both very well on Monday last. I am very glad you will have them to Boughton in August, for if you should leave them alone at school, as in your lordship's last letter to me you were please to write you would, it would quite have disheartened them, I think, from learning; for in truth they must have a little recreation sometimes, and take a little fresh air for their healths' sake, so as it will do very well that their sister and they meet together at Boughton in August. I know my son will not fail to bring your daughter from Quainton to you about that time. We have not any news at all here, but paying of our monthly taxes; only Sir John Tra [Trevor]* was admitted the House of Parliament again, and sat there again on Saturday last." 1 *p.* *Seal of arms.*

ROBERT BERNARD to [LORD MONTAGUE].

[1648,] July 12. Huntingdon.—These lines are chiefly to present my own and my wife's humble service, and to excuse my not waiting upon you at Boughton, although "I will come day or night to do you or any of yours any service." I could not meet you at Barnwell, as I was engaged that day, but I pray Mr. Garway to let me know when you will be there again.

"I am sorry that Huntingdon should become a fountain of news arising from a spring of blood. I presume your Lordship hath heard that on Sunday morning last, a party with the Duke of Buckingham and Earl of Holland came to St. Neots, about three hundred in all. They took up Inns, were very quiet and sleepy; like young soldiers, though chased from Kingston, yet set no guards. Colonel Scroope with seven troops followed them, entered the town on Monday morning about four of the clock, took Holland in his chamber and about eighty prisoners. The Duke, with a small party, charged twice, then rode away and hath escaped. Some report he is gone northward, some that he went by Chesterton, near Cambridge. The soldiers got good prize, much money. Dalbeare is wounded, if not dead, one Digby slain, and one Leg, a considerable man, hurt, about ten killed and near as many lie wounded in several places." My wife sends your Lordship a couple of cheeses. 1 *p.*

* See Commons Journals, vi., *p.* 245.

LADY WINWOOD to her son [-in-law], LORD MONTAGUE.

[1648,] July 25. Ditton.—"You are pleased to enquire whether we were not affrighted with the rising of the Lords and others of the country. Truly we were not much, for within an hour or two after we heard first of it, one Captain Pritie, who was sent from Windsor to suppress them, came back from them to Windsor again, and brought seventeen of them prisoners to the Castle, many of them gentlemen, and withal the news was that they were gone from Kingston to Bamstowne [Banstead] Downs, so that we thought ourselves safe about us, in regard they were gone, as was thought, towards Kent, as they were. But from Kent there met them Col. Rich's regiment, and one Livecie's [Livesey's] who drove them back again towards Kingston, where they were met withal with our troops, and lost the Lord Francis [Villiers] and others, and were driven to fly, and were fain to cross the country to Harrow the Hill, and so to St. Tabornes [Albans] and from thence to St. Needes [Neots] where they were taken, or else it is like they would have gone on to have visited your lordship. So I thank the Lord we were not much affrighted with them, for we heard not of the danger till it was past. I believe we shall see your lordship in these parts shortly, for the House hath resolved to call the House on Monday come sennight, which is the 5th or 6th day of August; upon what occasion your lordship will hear from better hands than mine. I thank God we are all well here, and so I hear your sons are at Westmister, only I hear Ned was ill one day only, but was very well the next again, and I hear Raphe looks very pale. I fear they buy fruit and eat too much of it; when your lordship pleaseth, a little country air will do them much good in regard of their healths. I hope your letter to your daughter will do her good." 1 *p.* *Seal of arms.*

THE SAME to the SAME.

[1648?] August 4. Ditton.—I find "that Mr. Holman hath only agreed to settle 2,500*l.* a year upon his son, and 1,000*l.* a year maintenance to him, if the match goes on, so long as the old gentleman lives, the which is a very small allowance for a portion of 7,000*l.* For the 3,000*l.* a year, 500*l.* of it is to be bought with her portion, and if the old gentleman marry, and as likely he may, have children, then your daughter must content herself with 1,000*l.* a year" it may be for the best of her days, and perhaps never enjoy more of his money. I confess I am not satisfied, but think the young couple should have 500*l.* a year more, but you must consider the matter and do what you please. 1 *p.*

THE SAME to the SAME.

[1648,] August 5. Ditton.—I have received your letter of this 4th of August and a very fat book [buck?], for which I give you many thanks. I have allowed your daughter to go into

Hampshire for a few days with my cousin Marie Treavor. They went on horseback and have had very bad weather. I was very reluctant to let them go but yielded to their importunity and to Sir John Treavor, who is with them, and was the great mover in the matter. Lady Montagew's man is mistaken in saying that he saw me lately at his lady's house, for I have not been there, nor heard any more of the business since I gave you an account of it. "This day Mr. Bachelor came from London, and says the Prince hath lately taken away all the merchants' cloth ships that were ready to go for Holland, and hath seized on them, and withal hath sent to the city to lend him 40,000*l.* whereupon they sent to the House of Parliament to know what they should do in it, who have voted all traitors that shall give him any money or assistance. The Prince, they say, lieth in the Downs. There is not any speech of Colchester nor of the taking of it. I believe your Lordship hath heard of Skarborowe Castle being betrayed by Sir Matthew Boniton's [Boynton's] second son, who was the governor of it, unto the Prince, so as it is much feared he will land there, and join with the Skotts." I hear that both your sons are well, and will send for them about the time you write of, if you will let Mr. Bosbie [Busby] hear from you. 1 *p.* *Seal of arms.*

[J. Dillingham] to Lord Montagu.

1648, Sept. 21.—"We have our eyes here fixt upon the treaty as that which will end troubles, when, God knows, scarce a heart is for it. For his Majesty and his party, they cannot be willing, because they know the Parliament will not so come up to them that they may sway all as before without control. For confirmation of that, an extraordinary hand from the Isle of Wight writes they expect no more but a spinning out of time. For the Parliament, they are so fearful that vengeance be taken of them by King and people, that they think they can never lock fast enough, and yet do they not in the least labour to content any party. The army, heightened by victories and successes, profess no less than a new government to be framed. The impediments they slight as the treaty. The conjunction of the several parties in Scotland makes for them, for they seek but a quarrel to shut that back door for ever and reduce it into two provinces, the wild and the tame, which nature hath almost set. The States of the Low Countries 'muck' ours, seeing the King of England will not be ever in capacity to manage the sword without consent of Parliament. The city of London tame as a lamb, having run themselves out of breath by following fools blindfold.

"My Lord Admiral is able to halt no longer without accusation, for Darby House tell him plainly if he shall not upon the ships, they will complain and he must go, for Lieut.-Colonel Far hath confessed him guilty of the insurrection in Essex, and no doubt there are many rods in pickle against many great ones. From all this I suppose your honour will see a private country life is

best at present. One writ thus to me of no small knowledge in the motion of the great wheels—'I believe all the power visible and plots invisible shall not bring K. C. or any of his to sit upon the throne again, no, though a committee was made and Jac. Dill. had the chair.' I have made the gentlemen your sons two coats of frieze and this Saturday I carry them suits. If I find Mr. Edward desirous of another coat I will make him one trimmed with silver lace for Sundays, or some other garment that shall please him. I pray my humble service to Mr. William; let him read this." *Endorsed.* "A letter to Lord Montagu, 1648." 1 *p.*

LORD COTTINGTON to SIR ROBERT [WINDE?]

[1648?] November 30—December 10. Haghe.—"I have this day received yours of the 5th, and shall, according to your desire, give many thanks to my Lord Craven for his so noble dealing with you. My Lord Hopton takes your remembrance of him very kindly, but Clotterboocke I have sent into France, so as you can have no answer from him. You will remember me very kindly to your son and daughter." ¼ *p.*

LADY WINWOOD to her son[-in-law], LORD MONTAGEW.

[1648?]—You will see by Mr. Busby's letter that poor Raphe has got the small-pox. As soon as it was suspected, Mr. Busby moved him into a house in the stable yard, and sent for Dr. Wright, who, being ill, sent the apothecary instead, and would have sent a nurse, but Mr. Busby does not wish either of them to see him. As he has now been ill five days and is said to be doing well, I think we had better leave him in the hands of his master—who, as you will see, expresses much love and care towards him—and of the woman into whose charge he has been given. Edward is quite well so far, but I advise that he should be sent to Lady Montagew's, and then if he falls sick he can be nursed there. Meanwhile he can go to school, and he and his man can still diet at Mr. Busby's. I am of Mr. Busby's opinion that the boys have ridden too much in the heat, drinking beer when they were very hot, and eating too much also; and I believe Bettie will do the like as long as she is abroad. 1 *p.*

JOHN BRADSHAW.

[1649, January 27.]—"Copy of Bradshaw's speech at the condemnation of King Charles I., the fullest and most exact of any extant, there having been no copy of it hitherto published by authority." *Noted in a later hand,* "This was copied from a manuscript book lent to Mr. Townshend last winter for that purpose. I forget to whom the book belonged, but the speech is thought authentic."

[*Identical with the version printed by Gilbert Mabbott, and re-printed in State Trials, vol.* IV, *p.* 1008.]

R. Caldecott to Lord [Montagu].

1649, September 28. Ramsbury.—Thanking him for the favour done him in a letter to Mr. Thos. Herbert, and stating that his Lordship* has very favourably received the suggestion concerning a marriage between his grandson and Lord Montagu's daughter, "and would repute it a mercy to bestow his grandchild in so religious a family," but he has also had an overture from Lady Beacham about her daughter, the issue of which he will know shortly; when, if all parties are free, the matter may proceed further. 1 *p.*

Edward Mountagu to his father Lord Mountagu, at Boughton.

[1651?†]—Latin letter, expressing his gratitude, and his determination to work diligently in the future. The letter ends thus:—"Mandata tua a doctore intellexi, et illis tanquam oraculo tanquam septemplici sphœrarum melodiœ auscultavi, neque me prorsus Academiœ mansio quicquam distrahit, nam ubi tu me esse volueris, ibi et rus est et Academia." 1 *p.*

"Theodorus Resburius" to Lord Montague.

1654[-5], Feb. 15. Cambridge.—Letter expressing gratitude for some favour received, the nature of which is not specified. *Latin.* 1 *p.*

Guillaume Godfried, Sieur de Hesse.

1657, September 2-12. Cassel.—Acknowledgment by Guillaume Godfried, Sieur de Hesse, that he has been entrusted by Prince Rupert with the raising of a "company of cavalry" for the regiment transferred to the Prince by the King of Hungary and Bohemia, with the conditions to be observed; the Prince on his part promising to provide forty rix-dollars per man with six more for arms, of which half has this day been given him, and the rest is to be paid in a month. *Copy. French.* 2 *pp.*

Colonel J. Griffith to Ensign Wynd at "Bergin-op-Zoon."

1658, April 8.—Pray let me know whether you have received the 400 gilders which I sent you, and also how your leave goes on. "You are to make start to come away from Bergin with your men the 20th of April. I pray do your utmost endeavour to bring a good number." Let me hear from you speedily at the Hague, and present my service to your father.

Postscript. "I believe my regiment will be for the King's guards, therefore everyone must do his best to perform to the utmost to get good men."

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* Apparently the Earl of Pembroke, to whom Ramsbury Manor House belonged.

† Edward Montagu matriculated at Oxford in the spring of 1651, but entered Sidney Sussex College, Cambridge, in the autumn. It is perhaps to this that the letter refers.

FRANCES, COUNTESS OF EXETER* to LORD MOUNTAGU.

[Before 1660,] November 16.—Thanking him for a "brave pie and collar of brawn" for which, and for all his other favours, she cannot sufficiently express her thanks.

J[OHN] D[ILLINGHAM] to LORD MOUNTAGU at Boughton.

[16]64, May 26. [London.]—"I have with my best eyes lookt over this great city, not, I think, inferior to any in Christendom for bigness, as now increased. I found nothing the same as of old but my friends still loving me; my relations so declined that my son and your honour's tailor not only worse 500*l.* than nought, but a Fleet prisoner, and the veriest sot breathing. We, your honour's servants, are ashamed of our light belief that anything brought your best son to you save affection. His Majesty is returned from his first visit of his navy, having ordered thirteen sail to be forthwith at sea, and thirty after. The beef is bought too late to take salt. A French as well as Dutch Ambassador is expected, who may possibly compose differences, though all here say we shall have wars. Do not imagine the Dutch will fall out with us unless they be strongly assisted. The preparations are represented great beyond imagination. Its to be feared the maritime Princes will put to have the seas free. We take on ten thousand sea and land soldiers, as if we intended a lepanto fight; a good work no doubt that we join against the Turkish monster, who, saith the Dutch letters, is daily more terrible. Ten of old Noll's captains are entertained. My Lord of Sandwich wisheth the fight better than ribbons or feathers. If we go on you will see Hinchingbrooke topped gallantly. It is believed my Lord Bristol is out of that gunshot which passed the day after the Parliament rose to apprehend him and Tower him. Formerly I represented Ireland in ill posture. Now my lady and lord of Ormond are come over, and after several high languages, its evident and so remonstrated that less will not content the Irish than the rooting out all English interest there, which both the Scots in Ulster and Cromwell's soldiers dispersed are so sensible of that they are in a posture to give the second blow. This is looked upon at this time with a sad eye. Its not good to believe that the banished Scots are solicitous in Holland, but sure they are discontent, and if France, Holland, or both, should land men there, of which we are jealous, God knows what the event may be. Its said that Admiral Lawson hath taken an Algeire man of war with five hundred Moors. Our sea workmen are fain to be pulled to the fitting the navy. When you see the Chimney Act, and that against the fanatics, you will say the next meeting will do well to make explanatories. The Dutch have printed the heads of the Act against private meetings,† styling it an Act for suppressing the worship of God. It was so hot in London and my purse so near empty that I shift down this week, and in regard the carrier was full, I pass with Oundle coach and Sunday will visit all my

* Daughter of the 8th Earl of Rutland, *ob.* 1660. † The Conventicle Act.

kindred. My servant will Monday morning bring me a horse from Boughton that I may come back upon to kiss your honour's hand before I pass North." Mr. Gilbert owes Mr. Smith above 80*l.* 1 *p.*

GEORGE MOUNTAGU to LORD MOUNTAGU at Boughton.

1664, June 10. Horton.—Regretting that, having to be in London on Monday, he cannot wait upon his lordship, but assuring him that he will not fail to do so when he returns into Northamptonshire after the term. 1 *p.*

EDWARD MOUNTAGU to his father, LORD MOUNTAGU, at Boughton.

[Before 1665.*]—Expressing his sorrow for past misdemeanours, and imploring his father to restore him to favour, and to suffer him, after the storms of his anger and displeasure, to enjoy the sunshine of his favour, lest he suffer eternal shipwreck; for, as it is accounted the height of barbarism in an enemy to insult over his yielding foe, so it will never be esteemed piety in a father "to trample upon the ruins of a prostrate son." 1 *p.*

E[DWARD] MOUNTAGU to his father, LORD [MOUNTAGU].

[Before 1665.†] Thursday morning.—Sending certain letters and saying that as Mr. Constantine has come to town, he will see him and give a full account as soon as possible. With postcript asking for some money, as he has none. 1 *p.*

LORD CRAVEN to the MAYORS, CONSTABLES, &c., to whom it may concern.

1665, July 17. Westminster.—Warrant to permit Wm. Wynde, Esq., and his man, of the parish of St. Clement Danes, to pass to Hampstead Marshall, near Newbury, co. Berks, as they themselves, the house from which they came, and all the persons therein are free from any infection of the plague. *Signed.* ½ *p.*

Endorsed: "A passe in the plage tyme. 1665, July the 17 daye. God be praised."

GEORGE FRIDERICH, PRINCE DE NASSAU.

1666, October [1-]11. Bergis ad Zomain [Bergen op Zoom].—Certificate by the Prince of Nassau, that Charles Heveningham, formerly lieutenant of the English troops under the Lords of the States General of the United Provinces, now an inhabitant of this town, an old man, decrepid and afflicted with hemiplegia, is this day still alive and has been seen by the Prince's deputies. *Signed. Latin.* ½ *p.*

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* Killed, August, 1665, in an attack upon the Dutch.

† This letter is ascribed in a MS. note to the son of the 2nd Lord Montague, but the writing is very different, from that of his other letters.

DUKE OF ALBEMARLE to SIR WILLIAM COURTENAY.

1666, October 18. Cockpit.—Requesting him to keep a sum of 600*l.*—concerning which he is sure Lord Bath will do nothing further—in his own hands, even if an order is brought from the King, as he means to get such order, if there is one, recalled, and wishes the money to be bestowed upon the castle of Exeter; also desiring him to send word when he has got certain arms into his custody and to state where they lie. ½ *p.*

JOS[EPH], BISHOP OF PETERBOROUGH, to LORD [MONTAGUE].

. 1666 [-7], March 18. Castor.—Granting a request presented through Dr. Aleyn for certain parishioners to worship in some other place during the re-building of their church, "provided that they make choice of a convenient place for the service of God, and that in the meantime the place be not made use of to any other common employment." With postcript stating that he has just received a complaint that during the last fortnight two "very factious un-licensed preachers" preached at Geddington, viz.: Parkins and Winter, which Winter he has had particular order from the Archbishop of Canterbury to apprehend, and requesting Lord Montague, if he can find them, to send them to gaol. 1 *p.*

WILLIAM WINDE. [?]

[After 1667.] Notes by William Winde. [?]—"In the year 1661 I was made gentleman usher to the most illustrious Princess, Queen of Bohemia.

"In the year 1667, July the 11th, I was made engineer into Godfrey Floyd's place for the fortifying Gravesend and Tilbury. A squadron of twenty-two Dutch ships lay in the Hope, and was aboard of Admiral Sprage, who took one fire ship and burned eleven or twelve of the Dutch fire ships." *Scrap.*

THOMAS POOLE to the DUKE OF ALBEMARLE.

1668, July 6.—Petitions that he has been assaulted in the discharge of his duty as gauger of Excise at Guildford, co. Surrey, by John Crowder, a trumpeter in Lord Hawley's troop, and prays that order may be taken in the matter, as he daily goes in danger of his life.

With reference, signed by Albemarle, to Captain Morley or Cornet Weld, dated as above, from the Cockpit. 1 *p.*

DUKE OF ALBEMARLE to FRANCIS, LORD HAWLEY.

1668, July 17. Cockpit.—Ordering him to send an officer and twelve troopers to Lewis in Sussex, to escort to London "his Majesty's treasure which shall be then in a readiness under the charge of Mr. Charles Goodwin, conductor of the carriages." All constables, &c., are to be aiding and assisting in the quartering

of the party, and the officer is to see that the soldiers carry themselves civilly and pay for what they receive. *Signed.* 1 *p.* *Addressed to Lord Hawley, as commander of his Majesty's own troop, at Chelmsford or Ingerstone.*

DUKE OF ALBEMARLE to LORD HAWLEY.

1668, August 31. Cockpit.—A like order for the escort from Kingston to Portsmouth of a waggon of treasure, under the charge of a person appointed by the Earl of Anglesey, Treasurer of the Navy, for paying off his Majesty's ships. *Signed.* 1 *p.*

CHARLES GOODWYN to [LORD HAWLEY].

1668, Sept. 3.—Certificate that Corporal Abernathee and twelve gentlemen of his Majesty's troop have safely conducted the moneys from Lewes to Westminster. ¼ *p.*

JAMES PORTER to LORD HAWLEY.

1668, Sept. 3.—Certificate that Mr. Mark Holtby and eight men have conveyed the moneys from Kingston to Portsmouth.

DUKE OF ALBEMARLE to LORD HAWLEY, at Guildford.

1668, December 4. Cockpit.—His Majesty having commanded that twenty-four protestant officers, come from Portugal, are to be entertained in the Earl of Oxford's regiment, three in each of the eight troops, you are to receive Capt. Theodore Russell, Capt. Nicholas Rendarvy and Lieut. Wm. Armstrong into his Majesty's own troop before the next muster, and if you have no vacant places, and they come well horsed and well armed, you are to turn out three of the troop to make room for them.* *Signed.* ½ *p.*

[MAJOR?] FRA. WYNDHAM to LORD HAWLEY, at Guildford.

1669, May 5.—Order from the King to bring his own troop up to Lambeth in time to appear in Hyde Park at six o'clock in the morning on Tuesday next, the 11th of May. *Signed.* ½ *p.*

CHARLES II. to LORD HAWLEY.

1670[-1], January 16. Court at Whitehall.—Order to remove the King's own troop in Lord Oxford's regiment from Croydon to Canterbury. With writ of assistance. *Sign manual. Countersigned by Mathew Locke.* ½ *p.*

THE COUNCIL to the SUBSIDY COMMISSIONERS for Co. Northampton.

1671, June 17. Treasury Chamber, Whitehall.—Stating that it is reported that the assessors for the subsidy have been

* Russell and Armstrong afterwards received commissions. *See* Dalton's *Army Lists*, Vol. I., *pp.* 147, 201, 202.

defective in their duty, and requesting the Commissioners to call them to account. *Signed by Lords Ashley and Clifford, and Sir John Duncombe.* ½ *p.*

[Colonel] Sir William Lockhart to Cornet Wynne.

1672, December 12.—I asked you this morning "to march this way with my Lord Hally's [Hawley's] troop, but some of the companies being under their arms this morning, I find them in so good temper and that readiness to serve his Majesty where he shall please to command them, as I do not judge it now necessary to give to many worthy gentlemen as your troop consists of the unnecessary trouble of so ill a march" and therefore pray you to remain undisturbed in your quarters. ¾ *p.*

Noted: "My Lord Lockhart, formerly governor of Dunkirk, 12th December, 1672."

Endorsed: "Sir Will. Lokart letter."

Sir Thos. Daniell to Rowland Selby.

1672, Dec. 25.—I am ordered to march my companies to Dover, to be shipped for France, and understand that you have orders to send parties out to apprehend runaways. I shall start to-morrow morning at 8 o'clock, when, if you can be here with your troop, it may prevent disorders and will very much oblige me.

Underwritten: Reply from Selby that he will be at the town's end next morning with his men, and that it would be well to send to Bawton, "to cause them be ready" to march also. 1 *p.*

Quarter-Master Rowland Selby to ——

1672, Dec. 25, Christmas Day. Feversham, Kent.—Sir Thos. Daniell has orders from Court to march all the companies here to Dover and embark them for France, and the enclosed order is come for us to intercept the runaways. Please send Mr. Hall to cause them to make up their accounts with their landlords, that we may march into Canterbury to-morrow night. ½ *p.* [*Written upon the sheet in which Mathew Locke encloses his Majesty's order.*]

Enclosing,

Charles II. to Lord Hawley.

1672, *December* 24. *Court at Whitehall.—Ordering him to send out parties for apprehending straggling and runaway soldiers, who are to be delivered to Col. Sir Charles Lyttleton, commander of the forces at Rochester. Signed by Arlington.* ½ *p.*

Basil, Earl of Denbigh, to Lord Montague of Boughton.

1673, August 29. Newnham.—Congratulating him upon his son's marriage to the Countess of Northumberland*—to whom

*Ralph Montagu married (first) Lady Elizabeth Wriothesley, daughter of Thomas Earl of Southampton and widow of Josceline, Earl of Northumberland.

he himself is related both by her father and mother—and expressing his intention of visiting them so soon as they shall arrive at Boughton. *Seal with arms and coronet.* 1 *p.*

CHARLES II. to FRANCIS, LORD HAWLEY.

1673, October 13. Court at Whitehall.—Order to march the King's own troop to Ash, Wingham, Little Burne and Sandwich, there to quarter until further order. With writ of assistance. *Sign manual. Countersigned by Lord Arlington.* ½ *p.*

THE SAME to THE SAME.

1673, November 12. Court at Whitehall.—Ordering him, with his troop, to march to Canterbury, in order to assist Sir Wm. Lockhart in the marching and shipping of his regiment, and to secure the runaways. *Sign manual. Countersigned by Arlington.* 1 *p.*

CHARLES GRINGAND to CORNET WYNE, High Street, Canterbury.

1673, Dec. 7. Chequer.—Desiring him to send six troopers to conduct his Majesty's money to the Downs, and asking him to "come and drink one glass of wine here." ¼ *p.*

T. CHUSEMAN to [CORNET WYND ?]

1673, Dec. 7.—Stating that the appointed guard has safely conducted the money to Deal, for which he sends hearty thanks. ¼ *p.*

EARL OF OXFORD to SIR EDWARD BRETT.

1673-4, March 24.—Desiring him to issue orders to the captains of the troops of the Royal Regiment under his command to disband ten men of each troop, delivering their arms, &c. to the Ordnance Officers, and sending to Sir Stephen Fox for moneys to pay the men to the 6th of April next. Out of these moneys the officers are first to satisfy what the men owe at their quarters, giving what remains to them to defray their charges home. 1 *p.*

Addressed: "To Sir Edward Brett, performing at present the duty of major to the Royal Regiment under my command."

Copy sent by Sir Ed. Brett to Lord Hawley, with request that he will enforce the order.

THE SAME to THE SAME.

1674, March 27.—Desiring him to direct the captains of troops to take care to disband the least serviceable of their men, and especially to keep on no servants except for commissioned officers, "nor any that depend upon anything but their merit and the good discharge of their duty." 1 *p.*

Copy sent to Lord Hawley.

CHARLES II. to FRANCIS, LORD HAWLEY.

1674, August 15. Court at Wyndsor.—Order to march the King's own troop from their present quarters at Brainford to Southwark, and quarter it in the borough of Southwark and the town of Lambeth, to relieve the Earl of Oxford's own troop there, on the 25th instant. With writ of assistance and order for the imprest if necessary of a waggon and horses to carry necessaries, at the rate of 6*d.* a mile. *Sign manual. Countersigned by Arlington. Seal impressed.* 1 *p.*

THE SAME to the SAME.

1674, September 29. Court at Whitehall.—Order for Lord Hawley's troop to observe the Earl of Craven's* orders during his Majesty's absence from town. *Sign manual. Countersigned by Williamson. Seal impressed.* ½ *p.*

H. BREYONBERG to the DUKE OF ALBEMARLE.

1674[-5], Feb. 5. London.—A thousand thanks for your Grace's last favours, and a thousand pardons, I beg, for not acknowledging them before. What I foresaw has come to pass. "The King of Sweden's army of thirty thousand men were transported into Germany. All neighbours were at an amazement. New alliances against its designs were concluded. Great boast, bragging and menaces followed. Endeavours was made by the Swedes to dispose every one to better thoughts, but all in vain, till at last the Swedish General, Wrangell, enters Brandenburgh, not in an hostile way, but in a fair neighbourly humour, paying fairly for what is consumed. The Danes stir. The Dutch beats the drum. Prince of Orange himself will undertake great things against Wrangell. News comes in the meanwhile of the confederates' great success against Turenne, but it lasted but twenty-four hours, when we hear that Turenne hath entirely defeated and routed them, taken more than thirty standards and ensigns with three thousand prisoners, killed four or five thousand, and pursued them the third day.

"In the mean while the negotiation of peace goes on. Breda is refused by the Confederates, the French refuse Hamburgh," but offer the Dutch some other place in the Low Countries instead. It is past ten at night, and the King had the news only an hour ago, so I am forced to make a short report. 4 *pp.*

E[LIZABETH, LADY] HARVEY, to her father [LORD MONTAGUE].

1675, December 15.—"I have not troubled your Lordship with an account of my Lord Stanford's [Stamford's] follies and impertinences, because they are too many for a letter, or for anybody's patience, so that I will only tell your lordship in short that after his uncle had made him so impudent as to dare fall

* Colonel of the Coldstream Guards.

out with me, he has made him leave his wife without telling her why he left her, or whither he went, so that she must shift for herself, as I mean to do, for I am extremely threatened to have the settlement I have made of my lord Stanford's estate overthrown, and so my daughter to have nothing, unless I will quietly give Mr. Angetell [Anchitel] Grey the inheritance, which I am sure now he shall never have, unless he can get it by force. I do not doubt but that the settlement is very good, however my daughter shall run that hazard for herself, which I do not take to be near so great as what I have ventured for her. My lord, if my lord Stanford should have the confidence to wait on your lordship, I hope you will be pleased to resent his ingratitude to me so much as to give him but a very cold welcome, which he deserves upon his own account, as well as upon mine, for I never met with such a pitiful creature." 2½ *pp.*

DUKE OF MONMOUTH to FRANCIS, LORD HAWLEY.

1676, November 27.—Order for the King's troop to remove from Dartford to Canterbury. With writ of assistance and order for impresting a carriage if needful. *Signed.* 1 *p.*

EARL OF OXFORD'S REGIMENT.

1678, November 1. Jersey.—Muster roll of Capt. Wm. Winde's troop in the Earl of Oxford's regiment. Captain William Winde, Lieutenant Sir Edward Carteret, Cornet John Bynns, with quartermaster, 3 corporals, 2 trumpeters, and 60 mounted privates. 1 *p.*

SIR HERBERT LUNSFORD to CAPT. WINDE.

1678, November 17. Mont Orgueil Castle.—Writes by his vassal's [wife's ?] command to beg his "dear Shaver" to dine with them next Tuesday. A piece of beef will be his food "and after dinner only one bottle of the forbidden fruit." Reminds him of loving lassies and past frolics. ½ *p.*

THE SAME to THE SAME.

[1678, November ?]—I should have come to wait on you and kiss my Governor's hands, but was prevented by the froward weather. I am resolved at dinner "to drink my Governor's, yours, and all the honest shavers' good health in the best liquor I have. . . The she shavers present you with their services." ½ *p.*

SIR THOMAS MORGAN to CAPTAIN WIND.*

1678, Dec. 18. Castle Elizabeth.—Desiring to speak with him about some earnest business. *Signed.* ¼ *p.*

* Commander in Chief in Jersey.

Sir Thomas Morgan to Captain Wind.

1678, Dec. 24. Castle Elizabeth.—Requesting him to be at the Castle on Thursday morning "before the bridge shut, for the bridge will shut between eight and nine in the morning," and to signify the same to Mr. Samaris and to his cornet and quartermaster. *Signed.* ½ *p.*

John, Lord Roos, to his Uncle, the Right Honourable the Lord Mountague, at Boughton.

[16]78-9, Feb. 9. Bel[voir].—Sending a box received from Mr. Pack, who tells him that the Lord Chief Baron is sure that Lord Montague may without prejudice seal both deed and receipt, the which he therefore begs his Lordship to do, unless any inconvenience will accrue to him thereby. Also sending his good wishes for the election of his cousin to Parliament. 1 *p.*

Thomas Carew to the Duke of Albemarle.

1678[-9], March 5. Barly.—I feel it my duty to relate the disorders attending the election of members for Exeter. For two years past, Mr. Wm. Glyde, J.P., has made it his labour *per fas aut nefas* to be elected, and when Mayor, entered into correspondence with the fanatic party in the city, allowing fifteen or sixteen Nonconformist ministers to resort thither and preach in their seditious conventicles without control, where ever since they have continued "poisoning and depraving the people's loyalty and obedience to the government both of Church and State." Upon the dissolution of Parliament, he has insinuated to the commonalty that the Chamber has encroached upon their rights and privileges, and that he is the person who would restore their rights and also take off the Chimney Acts. The Wednesday before the election, the Mayor and myself were prevailed upon by the loyal party to stand. This startled the faction, and "made all the fanatics as one man join for Glyde's election, as if their cause lay at stake upon the success of this matter." They raised reports that the Mayor and I were Papists, and the inferior sort, who had no voices, were "by money and otherwise invited to be at the election to increase their number and cause disorder." At the publishing of the writ, the noise was so great that the undersheriff could not be heard in the Hall. "At last it was thought fit to draw out into the church yard, and there it was agreed that a a fair poll should be taken by twenties of each side, and that the Hall where the poll was to be taken should be cleared, and that each party should be called as their turn came." But at our return, numbers of Mr. Glyde's voices got into the Hall and insisted on being polled, and many of our voices outside the Hall were threatened and beaten by Glyde's rabble, who cried out, "Down with the Church, down with the Chamber, and that none but rogues would give their voices for the Mayor and Recorder."

The poll continued till night, when the Sheriff adjourned till next morning. "Glyde gets on the table, among the clerks that took the poll, seizes some of the poll books, kicks the Mayor in the shins and assaults the Sheriff, and much doubt there was least murder might be committed. The Mayor and Sheriff go out of the Hall, Glyde goes into a house adjoining to the Hall, puts his head out at window, and there thanks the rabble rout for standing by him, desires that they would meet him again the next morning and tells them that he would save the city from ruin. His rabble threaten to burn me, run up and down the city, being well heated with drinks, threaten they would fight it out and they would pluck down the Hall if Glyde were not returned." The next morning, the disorder being greater than before, the Sheriff adjourned the Court till Saturday. Glyde's rabble run up and down the streets to the terror of the inhabitants, and are ready for any mischief, the factious Nonconformist ministers use all art and labour to stir up the people to faction and rebellion, and we know not how to behave ourselves without your Grace's advice and directions. 2 *pp.*

SIR THOMAS MORGAN to CAPT. WIND.

1678[-9], March 7. Castle Elizabeth.—Desiring him to send "that turbulent butcher" to him, to be secured until Monday, and to attend himself, with his cornet and quartermaster, betimes on Monday morning. *Signed.*

FRAS. CARPENDER to CAPT. WINDE.

1678-9, March 10.—Your request was no sooner made than granted. If you will come at the bridge opening, I hope to have it signed. "The governor is very weak." ½ *p.*

COMMISSARY FRAN. CARTWRIGHT to CAPT. WILLIAM WIND, at St. Hilerie.

1678-9, March 10. St. Peter's Port, Guernsey.—Has no news, either from England or France, and what the merchants have is locked up in their own breasts. Arrived in Guernsey last Saturday week, where all the officers expect Capt. Wind's coming, his lodgings being fitted "where my Lord ordered it before his going away." ¼ *p.*

WILLIAM MONTAGU to LORD [MONTAGU].

[1679 ?*], May 15.—The Lords' House was called on Monday. Your lordship is excused, but only by the favour and kindness of Lord Halifax and our three countrymen, Lords Peterborough, Rockingham and Hatton, "and after all, had not I been in the House, the clerks had omitted to enter your excuse, and would not do it upon my assertion, till I got one of the lords to vouch it. I am very sorry we are like to lose Sir John

* See Chancellor Finch's letter in the Buccleuch Report, Vol. I, *p.* 330.

Bernard. . . . . I pray God your lordship may get some good remedy for your distemper, which I am very sorry is returned again." My wife and I present our service to you.

Postscript. I hope Lord Chancellor is in no danger of removing. *Much torn.* 1 *p.*

CAPT. WIND'S TROOP.

1679, July 4. Jerzy.—Acknowledgment by Charles Hughes, storekeeper, of the receipt at Castle Elizabeth of the arms, &c. of Capt. Wind's troop, lately disbanded in the Island. ½ *p.*

LIEUTENANT BAILIFF and JURATS OF JERSEY.

1679, July 14. Jersey.—Certificate that Captain William Winde—whose troop has been in the Island since the end of 1677 and is now disbanded—" 's'est tres prudemment et civillement comporté envers les habitants de ce pais, et avec toute la douceur et moderation requise, sans que nous ayons apris qu'il ait donné sujet de plainte á aucune personne." *Signed*: Ph. le Geyt, Lieutenant-bailly, Charles de Carteret, A. de Carteret, Ph. le Payn, H. Loche, G. Loche *and* P. Bandinell, jurats. 1 *p.*

CHRISTOPHER, DUKE OF ALBEMARLE, to the DUKE OF YORK.

1680, September. Albemarle House.—Stating that upon the lamented death of the Earl of Ossory, he had hoped to succeed to his command, under his Royal Highness, in the service of the States General, but heard that the King had recommended the Earl of Dumbarton. Having now learnt that the Earl is not likely to succeed in his pretensions, he has therefore his Majesty's permission to address his Royal Highness, assuring him that if thought worthy of the employment, he will be ever obedient to his commands and devoted to his service. *Draft.* 2 *pp.*

EARL OF OXFORD to CAPT. LEGGE, or the Officer in charge at Thame.

1681, March 26.—Order to be ready next day with two parties of four men each, one to be at High Wickham to relieve a party of Sir Francis Compton's troop, and the other at what place is thought convenient to relieve "Wickham party" to march with the Earl to Oxford. *Signed.* ½ *p.*

With note by Will: *Winde.** "Received this order at seven o'clock this morning. My Lord sets out tomorrow by five: conducted the Queen's Majesty to Wickham."

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* Captain of the troop in Jersey, but lieutenant under Captain William Legge in the King's own troop of Horse.

EARL OF WESTMORLAND to the DUKE OF [ALBEMARLE?].

1681, November 28. Jermin Street.—"Being so highly elevated with your wine which you gave me, may in some measure plead my excuse for presuming to contend with you at a game I never saw before, and then paying not long after 500*l.*, which was a sum far greater than I use to play for, I hope it may upon second thoughts be thought by you a sufficient acknowledgment of my folly—which I ought to pay for. These reasons, and my Lord Oxford's acquainting you how very prejudicial it stands with my fortune to pay more, I hope will satisfy your Grace." 1 *p.*

Narrative of JOHN COLLINS.

[1682.]—Was employed during the late usurpation as clerk under the Treasurer of the Excise Office. At the restoration, drew up an account of the Excise for the King which was presented by Sir Rob. Murray, who informed his Majesty that the writer "was formerly a clerk at Court, driven to his shifts, well affected to his Majesty's interest and had married one of the daughters of Mr. Austin, one of his Majesty's master cooks," whereupon the King directed Lord Treasurer Southampton to continue him in his employment.

"The Excise Office in Bartholemew Lane being burnt down in 1666, another was imprudently taken in Bloomsbury, near the Lord Treasurer's house, who dying, the same was dissolved in June 1668, and all the officers turned out of their employments, the farmers of London offering to manage the same gratis, yet notwithstanding, the King's charge was increased." After three years, some of the old officers got pensions equivalent to half their salaries, and amongst the rest Collins had a grant of 50*l. per annum*, whereof three years are in arrear. Afterwards he was employed by the Commissioners for Accounts at Brook House, but "not liking their methods and urging things too far, as some of them thought, to the King's advantage, he became a sufferer thereby" and got less than he was promised, although the Commissioners spent 1,500*l.* less than was allowed them by Parliament. The farmers of Ireland wished him to go as their chief accountant to Dublin, but the Commissioners would not let him leave them. He transcribed, but had no hand in drawing up, the long report of the Commissioners to the King about the accounts of the war, which his Majesty—not being well-pleased with it—committed to Sir Philip Warwick. He acquainted Sir Philip with the defects of it, who was so pleased that he asked Sir John Trevor, one of the Secretaries of State, to procure an appointment of 200*l.* a year for Collins, but nothing was done. Knowing well the abuses in his Majesty's affairs, he could draw up a far better plan which would prevent them, as his method concerning the accounts of the Excise had done when in practice, "the like whereof was even desired by King Charles the First of blessed

memory, in reference to the Tower accounts, in which great abuses were committed, namely that they should be kept as merchants do their books, and Commissioners were appointed to consider if it could be done, who (through ignorance) reported it impossible."

In June 1670, he was employed as chief clerk in the Council of Plantations, under Mr. Slingsby as secretary, at 150*l.* a year, but it was so ill paid that in 1672, having a great family to maintain, he was forced to seek other employment. Whilst there, Lord St. John, Alderman Bence and others, who had taken the farm of the customs, "though as it proved they held not the same," nominated him as their chief accountant, but owing to the affairs of the Council he could not accept the post.

"And of late, the Council of Trade and Plantations being annulled to save charges to his Majesty, the books and papers, which are many, are put into the hands of Sir Robert Southwell" who has proposed to Collins to attend him two days a week, but no salary having been settled, he dare not give up his employment about merchants' accounts unless for a certain establishment. He believes he may with modesty affirm that he knows more about the accounts of the general trade of the nation than perchance any others, "and hath divers collections and all the printed books and papers about that affair that he could by any means, in above twenty years time obtain. And being a member of the Royal Society (though but a mean person), admitted as he believeth on opinion that he might be serviceable to the republic of literature, he hopes, if any public emolument befall him, he shall not frustrate the expectation of that honourable body." $2\frac{1}{2}$ *pp.* [*A closely written paper with many details of moneys due to the writer.*]

Annexed:

"*Proposals about Trade delivered to some eminent persons in November* 1667, *by John Collins, then an accomptant in the Excise office in Southampton buildings.*" 1 *p.*

J. Mc Lachtan (?) to the Duke of Albemarle.

1682, January 20. Edinburgh.—Requesting his Grace to speak to the King on behalf of the bearer, the Laird of Glengarry, his near cousin, who now has the estate formerly owned by Lord Macdonald. He and his family have suffered much for their loyalty, and "his pretension is very just." $1\frac{1}{2}$ *pp.*

Vice-Chancellor and Senate of Cambridge University to Christopher, Duke of Albemarle, chosen Chancellor of the University.

1682, April 2. [Cambridge.]—Address upon his election, assuring him of the unanimous consent of the Senate, and congratulating themselves that, by the King's choice, what they

themselves would have desired is expected from them as a duty, so that they show their obedience to the King and their observance towards his Grace, while they at the same time consult most amply their own advantage. *Latin. Seal.* 1½ *pp.*

Also English translation of the above.

[Thomas Vivian] to the Duke [of Albemarle].

[1682, April 10?] Monday.—My lord of Bath rested well last night, "and this day hath been reasonable good to him also." He has remembered your Grace's business with Lord Danby about your house and has sent to him concerning Lord Conway's going. "The doctor was pleased to say of my Lord Bath's condition this evening that his Lordship was safely come into the Downs, and hoped would be suddenly at Greenwich." It is said that a representation will be made to his Majesty to-morrow at a Common Council about the fairs and markets behind Albemarle House. I hear Frith and his counsel come to Newmarket next Thursday. 1 *p.*

Nath. Vincent to the Duke of Albemarl, at New Hall in Essex.

1682, April 11. [Cambridge.]—Sending a copy of the Duke of Buckingham's speech on being installed as Chancellor, June 7th, 1671. Speech underwritten. *Seal of arms.* 1 *p.*

Duke of Albemarle to Dr. Coga, Vice Chancellor, and the Senate of the University of Cambridge.

[1682, April.]—Assuring them that of all the favours shown to him by the King, none has caused him more satisfaction than that his Majesty has thought him fit to be a patron and support of learned men, and the more so as he considers himself under a particular obligation to cherish that loyalty and learning which his father, by the grace of Heaven, had the honour to rescue and restore. *Copy, in Thos. Vivian's hand.* 1 *p.*

Dr. Nath. Coga to the Duke of Albemarle, at New Hall.

1682, April 12. [Cambridge.]—Stating that his Grace's letter, accepting the Chancellorship, was received by the Senate with all possible joy, and that although, owing to the absence of the Public Orator, they cannot now return their thanks, they will endeavour fitly to do so at the installation. *Seal of arms.* ½ *p.*

Thomas Vivian to the Duke [of Albemarle].

1682, April 13. Thursday.—My lord of Bath has just received your Grace's letter. The King sat long and late at Council this night at Secretary Jenkyns'. The Court is full and many Scots lords sup here to-night. The Aldermen, your Grace's humble servants, hope to attend you at their Artillery feast on Thursday next. [*With lists of wines sent down to Newhall and Hill House.*] 1 *p.*

THOMAS MONCK to MAJOR HALES.

1682, April 22. Exeter.—Complains that although he, Captain Lloyd and Captain Strowd have done their utmost in the enlisting of soldiers, yet so many desert that only about fourscore have been shipped from Star Cross. He attributes this to the malice of the Whigs, "who are very industrious in opposing all things that have his Majesty's character," and have spread a report that the men are to be carried to Tangier. Begs that Lloyd may have orders to write from Holland to dispel "the false suggestions of these devilish people." The loyal party in the country are as kind as possible, but Lieut. Giles has only been able to recover nine or ten of the deserters, six of which he had an order "to shackle with irons, two and two, and so convoyed them on board, which the honest fellows that were aboard were extremely pleased to see." Is hoping for better success in the north of the county, and will send the rest of the recruits to the *Phœnix* frigate at Plymouth. Sends duty to his Grace, and requests that "the enclosed" may be sent to Mr. Elsivier. 1 *p.*

NATH. VINCENT to ——

[16]82, April 27. Clare Hall.—"The Duke of Monmouth's speech, which you enquire after, was so very short that there have not been copies kept of it. There is an account of his installment, much more large and full than any thing we have had before recorded of that nature, which the Vice-Chancellor will bring with him to London, that my Lord Duke may have the perusal of it, on Tuesday come se'night. Out of this narrative, I have transcribed all that is extant of our last Chancellor's speech." I pray you tender my duty to his Grace our Chancellor elect and to her Grace our Lady Chancelloress, who some years ago did me the honour to accept my attendance when she viewed our University. 1 *p.*

[MAJOR] RI. BYNNS* to the DUKE OF ALBEMARLE.

1682, July 22.—"I have received your Grace's answer to mine, and this day [Lieut.-]Col. Griffin* goes to Windsor, where he will order Mr. Rodney's confinement, who is upon duty there. I hear that Mr. Rodney says he asked the Duke of Monmouth's pardon immediately upon what he did, and that he did not design any affront to his Grace, but to my Lord Herbert, who was with him, and that for his lordship's calling the Guards the Banditti; but how far that will excuse him, the Duke of Monmouth being in his own coach, though my Lord Herbert were with him, I take not upon me to determine. I sent Mr. Symms to the Duke of Monmouth to let him know what answer your Grace had given to my letter, which he received very kindly.

* Of the King's own troop of Horse Guards, Duke of Albemarle, Colonel.

"I have not further to trouble your Grace, but as God save me 'tis a base world that a man cannot get a little venison for a longing lady, neither for love nor money." ¾ *p.*

THOMAS MONCK.

1682, July 29.—Apologising to his "superior officer" for having contended with him, owning that he was very drunk at the time, and praying for forgiveness without the matter being brought to a hearing, which would ruin him. ¾ *p.*

PHIL. PARKER to the DUKE [OF ALBEMARLE].

1682, August 2.—Has spoken to some of the Lords of the Treasury concerning the accusation which removes Denham. It is very necessary to keep him if possible, as "he will be a considerable servant to the King's interest if he be continued, or otherwise the most popular opposer of it, for he most absolutely sways all that any way incline to dissent." If he were removed from the town the danger would be less, but he means to turn merchant there. Hopes that the Bishop and Lord Hide will be at Council. Denham will wait upon his Grace at Windsor. 1 *p.*

JOS. DEANE to CHRISTOPHER, DUKE OF ALBEMARLE, at his lodgings, at Windsor.

1682, August 29. London.—Sends proposal in the name of John Thompson for farming several branches of his Majesty's revenue in Ireland, being the same formerly delivered to the Duke of Ormond, for which, if accepted by the King, he will offer security and covenants for performance. He leaves out quit rents, old crown rents and composition rents (they being already *ad firmam*, and not able to be made a penny more than they now stand in the King's books) and also the casual revenue, *i.e.* fines, penalties and forfeitures, which he does not think it fit for any subject to meddle with, "it being in effect to farm the King's mercy." The quit rents, &c. are valued at about 80,000*l.* *per annum* and the casual revenue at about 10,000*l.* which with the 200,000*l.* proposed by him for the other branches of the revenue, makes up 290,000*l.* *per annum*, being 60,000*l.* more than has been made heretofore. If the King wishes the victualling of Tangier, and eight or more ships of war out of Ireland, he will undertake that also at as easy rates as possible. 1½ *pp.*

CURWEN RAWLINSON to the DUKE OF ALBEMARLE.

1682, Sept. 21.—Thanks his Grace for appointing him bowbearer of Bowland. Finds the forest well stocked with fallow deer, but of red deer only one stag and three females. The Duke of Monmouth has won the race at Wallesey, and rode himself, but very few Lancashire gentlemen paid any respect to him.

Postscript. The town of Lancaster has been very kind since his appointment, and has lately invited him "to a treat."

Thinks it would be taken as a great kindness if his Grace would give orders for the Mayor to have a buck in summer and a doe in winter, every year. 1½ *pp.*

LAURENCE KECK to SIR RICHARD EVERARD.

1682, September 23.—From the prison in Mowsham, near Chelmsford.—Asserting that he has "some *arcana imperii* or secrets of state of great moment and importance," which he has endeavoured to impart to the King, but, by the malevolence of ill people, several letters sent by him to the King, Duke of York and Lord Mayor have been "too, too evidently and palpably intercepted, the consequence whereof is high treason in several respects," wherefore he begs the favour of his honour's company on Monday next, when he will communicate his business at large. 1 *p.*

Addressed to the Honorable Sir Richard Everard, Kt., at Langleys, or in his absence "*mutato tantum nomine*," to Sir John Bramston at Skreens.

[MAJOR] RI. BYNNS to the DUKE OF ALBEMARLE.

1682, October 6. Newmarket.—Informing him of a sad occurence at the quarters at Barton the night before, when the officers of his Grace's troop being at play, a quarrel arose between Capt. Egerton and Mr. Howson about a guinea, and Captain Egerton, drawing his sword, struck the other over the head and in the body, from which wounds he died within two hours. Mr. Egerton is in custody.* 1 *p.*

J. MC LACHTAN (?) to the DUKE OF ALBEMARLE.

1682[-3], Jan. 20. London.—"Mr. Haynes, after seeing so much of the world, resolves to go to his country and live honestly with his own wife." I pray your Grace's protection for him till he is settled. He is discharged from the King's play house, and if he goes to one of the others, they will give him what terms they please, but if they see that your Grace owns him, he will get better conditions. "Hea nided not goe from this, for hea wanttes nothing, for boath the nobellmen and the gentrye hes a kynese for him," and he has carried himself so honestly and civilly that he would never want if he stayed here. 1½ *pp.*

CHARLES II. to the DUKE OF ALBEMARLE.

1682-3, February 27. Court at Whitehall.—Desiring him to give order that the usual officers and threescore gentlemen of each of the three troops of Life Guards attend the Progress to Newmarket, and that accommodation be provided for them—excepting

* On Oct. 16, Rob. Noel is commissioned as Brigadier and Lieutenant of the King's troop, *vice* Wm. Egerton. *See* Dalton, Vol. I., *p.* 297.

for their officers, who are to be lodged at Newmarket—in the towns of Cheveley, Ditton, Stretsworth, Dullingham, Exning, Landwaid, Chipnam [Chippenham], Kentford, Saffron Bulbeck [Bullock], Saffron Pryor, the two Burrels, Fordham, Snelwell [Snailwell], Bodsom, and the adjacent villages. *Sign manual. Countersigned by Sir Leoline Jenkins.* 1 *p.*

LETTER FROM BRUSSELS.

1683, [March 28–] April 7. Brussels.—Stating that the Duc de Havre is desirous of adding to his picture gallery the portraits of the greatest generals of Europe, amongst which the late Duke of Albemarle is one of the most famous, from having contributed to the restoration of the King, and begging his correspondent to persuade the present Duke to send a portrait of his father, a request which he makes with the more confidence, as he is assured "que Monsieur le Duc d' Albemarle voudrat bien faire celuy-la a Monsieur le Duc d' Havre qui a eu l'honneur de l'avoir chez luy a Havre apres l'affaire de Charleroy." *French.* 2 *pp.*

WILLIAM CHAPMAN to the DUKE OF ALBEMARLE.

[16]83, May 8.—Yesterday, Thoroton having faithfully promised Col. Villiers* and the rest of the officers that he would give up possession, delayed until the relief of the Queens came to the usual place. Your troop did not immediately draw out and Captain Chetham† sending to ask Capt. Nowell‡ whether he would be relieved or not, the latter answered that they would dismount as soon as ever they could get a few sacks of corn down, it being your Grace's command to see this done first. Upon this, a complaint was sent to Lord Feversham, whose coach was then at Whitehall gate, and who came over "in the greatest heat that ever I saw man in my life, enquiring what was the matter, and the reason that they did not dismount, and that he never saw the like in his life (as if they had been ready to cut one another's throats), and that he would immediately go and tell the King of it, and make a very great complaint, and withal commanded Captain Nowell immediately to march. Captain Nowell told him, since it was his Lordship's command, it should be obeyed, but that he had done nothing but what he had orders to do, upon which he went into his coach [and] drove away for Windsor in a very great passion." I asked some present to take notice of the time "and it was judged to be little more than half a quarter past three o'clock by the guard clock, and your Grace and every one knows they seldom dismount before half an hour past three, but generally four." I went to find Col. Villiers and we sent an express to Col. Ashton,* urging him if possible to get there before Lord

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* Lieut.-Colonels in the King's troop.
† Or Chittam, Queen's troop. ‡ King's troop.

Feversham, and give the King the first account. He has not yet returned. Sir Philip* sent for me to consult me about the liveries of the trumpets, which the Treasury are very stiff to have made by the King's tailor, if he will do it as cheap as another, so, for fear that if we contradicted it the men would get none, the livery was resolved on and Mr. Grime ordered to make it. Thoroton told Lord Feversham that this bustle was because he would not give Mr. Bowes 150*l.* a year. I told his Lordship it was no such thing, upon which he said he did not understand it, "and that he would not have the gentlemen of his troop † to pay twelve pence when they could have it [*sic*] for nine-pence, and that no moneys should be drawn from them without his consent; upon which I said there was nobody pretended to any such thing that I knew of, but that your Grace ordered room to be made for provision for your own troop, but he was in so great a heat that one could scarce answer him anything." My lady is in good health and prays for your Grace's safe return.

Postscript. The messenger has just returned with a letter from Col. Ashton and these are the contents. 3 *pp.*

Underwritten :

LIEUT.-COL. ED. ASHTON to WILLIAM CHAPMAN.

Just before I received your letter Lord Feversham told me the substance of it, and asked me to be present when he spoke to the King "to see that he would not aggravate anything unreasonably, neither did he." Nobody is blamed and the King says matters are to stay as they are until the Duke of Albemarle returns.

WILLIAM CHAPMAN to the DUKE OF ALBEMARLE.

[16]83, May 12.—Lord Grey's house has been searched, and a great number of arms found. He was brought before a Committee of Council last night and examined till ten o'clock, then giving bail for his appearance. Captain Street's ensign and son-in-law has accused his father-in-law of making false musters. It is thought they will both be cashiered. "Prince George of Denmark has leave to come over and is expected suddenly." I am getting information as to the management of the Purveyor's office since the King came in and hope to have it ready upon your Grace's return. 2 *pp.*

[THOS. VIVIAN] to the DUKE OF ALBEMARLE.

[16]83, May 17.—Your letters to my lady Duchess, the Duchess of Newcastle, my lord of Bath, and Dr. Barwicke all received, delivered and sent away. Lord Bath came to day from Windsor, "the King and Court all in good health, the Duke and Duchess and that Court going to Oxford and Cornbury next week."

* ? Sir Philip Howard, Colonel of the Queen's troop.
† The Duke's troop.

The money for Albemarle House is promised this week. Lord Grey is bound over to keep the peace. The rioters will be fined on Monday, and Sir Patience Ward's trial for perjury dispatched on Saturday. 1 *p.*

WILL. CHAPMAN to the DUKE OF ALBEMARLE, at Exeter.

[16]83, May 18.—A duel was fought near Chelsey this morning by Lieut.-Col. Cannon and Major Steward, the seconds being Capt. Cunningham, of the same regiment, and Captain Parker. All is well with Major Steward and Captain Parker, but "Cunningham is very ill wounded and had the ill luck to come from Holland but the day before. Cannon is in the same case, but not quite so bad. They are going to send Hobbs* to them." 1 *p.*

SIR COURTENAY POLE † to the DUKE OF ALBEMARLE.

1683, May 21. Shute.—Apologising for not attending his Grace in his Majesty's service, as the infirmities of old age, which formerly did but creep, now fall upon him, and he is just ready for the Bath, with his wife, two daughters, Bempfeilde and Pole and two crutches, but must not start without his Grace's leave and approbation. *Seal of arms.* 1 *p.*

CHARLES II. to CAPTAIN WM. LEGG.

1683, June 6. Court at Windsor.—Order that, in consequence of several robberies on the road between London and Windsor, parties of the King's troop now at Kingston are to patrol on the highway between Staines and Hounslow every day from morning till night, for the apprehension of highwaymen or suspected persons, who are to be brought before a justice of the Peace. *Sign manual. Countersigned by the Earl of Sunderland. Seal impressed.*

With note by Will. Winde that he received this order by Mr. Hudson on the 8th, at half-past five in the afternoon.

EDWARD RIGBY to the DUKE [OF ALBEMARLE].

1683, July [7–]17. Pasor [Passau ?].—I take the liberty of sending your Grace an account of affairs at this Court. Going for Vienna, and from thence meaning to join the army, we met the Emperor and Court at Linse [Lintz], just arrived in great distraction, by reason that the Turks were close to Vienna with their whole army, but hoping that the town will be able to resist, it having in it eighteen thousand men and three years' provisions. The Duke of Lorraine is well posted nigh the town, but the Emperor has removed his treasure, which is embarked on the river. On the third day, as Lord Lansdown ‡ was about to leave for the army, news came that the Turks were advanced to the

* Thos. Hobbs, surgeon to the King's troop.
† Formerly high sheriff of co. Devon. His eldest daughter married Sir Coppleston Bampfylde.
‡ Son of the Earl of Bath.

walls of the town and that the Emperor's army had had to retire into the adjacent woods, giving the Turks the advantage of advancing and separating the horse and foot; as also that twenty thousand Turks and Tartars were in pursuit of the treasure now upon the river. This alarum obliged the Court to go to Pasor where we arrived last night. It is said that the Emperor will go to Ratisbon and has sent to the Elector to meet him there. "The 'mobeley' in England are not more alarmed at the noise of a Popish Plot than this Court is for fear of the Turks, and truly if the Turks advance as they do, they will undoubtedly ruin a great party of the Empire." The army seems to be as distracted as the Court, for one of their best old regiments, being commanded to keep a pass, ran away when the enemy advanced and left seven standards, and they have not thirty thousand effectual men in the army. "Undoubtedly Hungary is lost, if not Austria. My Lord Lansdown is resolved to follow the Court," but I mean to stay here until I can go to the army or am besieged. This town is indifferent strong. 3 *pp.*

[Thos. Vivian to the Duke of Albemarle.]

[1683, September.] Tuesday.—Good news from Vienna. Those within the city have successfully countermined, and have bravely taken out three hundred barrels of powder laid by the Turks under the great bastion of the Emperor's palace. They have also burnt the faggots, &c. with which the Turks had filled up the trenches. The three bodies of the Turks are drawn into one, and a far greater body of the Christian army (the King of Poland and others having come in and joined) were ready to give them battle about the 30th of August, the Turks being much disheartened and the Christians much heartened. It is believed that an account of the great action will be here on Friday night, if not before. 1 *p.*

Richard Winwood to [Lord Montague?].

[Before 1684*], Sunday night. Ditton.—Stating that he sends some Ditton grapes by the coach which has brought Lady Northumberland and her children, regretting his Lordship's indisposition, and mentioning the remedies and diet which he himself has adopted, by advice of his physicians, for the same complaint. Also stating that he has repaired the chapel which is upon the park pale at Hills House. 1 *p.*

the Same to [The Same?].

[Before 1684], April 26.—Thanking him for a loan already received and for a further advance which he finds (by a letter received from Mr. George Montagu), that his Lordship is willing to make. *Seal of arms.* 1 *p.*

* Edward, Lord Montagu, died in January 1683-4. This letter must have been written after the Countess's marriage to Ralph Montagu, as by her first husband she had only one daughter. Hills House belonged to Lord Albemarle, but Winwood addresses his correspondent as "your lordship," not as "your grace."

RICHARD WINWOOD to EDWARD, LORD MONTAGUE, at Bouden.

[Before 1684.]—This 12th of June Mr. Trumball and his son, Mr. Bridges, dined with me and brought me the good news of your health. I know you have heard that my lady Northumberland has got over the accident to her arm by the pricking of an artery, which is confirmed by a letter from Mrs. Bloomer. It pleases me much that you have taken young Dr. Wilde into your family, his father, my old and very good friend, being overjoyed that his son is so well placed and desiring me to say so to you.

Postscript. "You are to blame that you do not come to see the bravery of Windsor. Nobody is right at Court that does not do so. This day the Duchess of Richmond and my lady Cavendish dine here in order to it." 2 *pp.*

THE DUKE OF ALBEMARLE to the KING.

[1684 ? January*].—Proposals for a grant of the farm of the whole revenues of England and Ireland, both certain and casual, for a term of five years, to the Duke of Albemarle and his partners, the proponents offering 1,582,709*l.* *per annum*, under the usual covenants and securities; 200,000*l.* to be paid at entrance upon the farm and 100,000*l.* *per mensem* afterwards.

ISRAELL FEILDING to the DUKE OF ALBEMARLE.

1683-4, February 10. Dublin Castle.—I have made daily inquiries into the value of your fortune here, but cannot amend the leases until they are out. "I never saw better penniworths than the tenants now enjoy. . . . I did my earnest endeavour to have saved Mr. Burneston from ruin, in duty and service to your Grace, but it seems he was that way bent, first marrying, then parting with his support. Now I am necessitated to tell your Grace how sorrowful I am for the occasion I have to let you know your law affair with Sir Lawrence Esmond is like Sciciphus' stone, rolled down from the pitch of the hill whither your labour and money had got it, for yesterday, upon a hearing in the Chequer Chamber, before the Lord Chancellor, Lord Chief Justice Davys of the King's Bench and Lord Chief Justice Keating of the Common Pleas, the middle gentleman had a long learned argument, whereby the former judgments were reversed, and your Grace wholly reduced to begin again. . . . . I suppose as your Grace thinks England the better country for living in, you will likewise have the same opinion of their Courts of Justice, and hereafter draw all your contentions in law to your own side." Captain Shaw was very bold, and told the Chief Justice that what he pronounced was contrary to law and justice, for which he would have been laid by the heels but that the Lord Chancellor said they would pardon his zeal for his master. 3 *pp.*

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* See *Memoirs of Sir John Reresby*, ed: Cartwright, *p.* 295.

THE KING to the DUKE OF ALBEMARLE, K.C.G.

1684, April 3. Court at Whitehall.—Announcing his appointment, together with the Duke of Beaufort, as a Commission for the instalment of Prince George of Denmark, Charles, Duke of Somerset, and George, Duke of Northumberland, the King's "dearly beloved natural son" as Companions of the order of the Garter, and requiring him to repair to Windsor and proceed to the installment upon April 8th. *Sign manual. Countersigned by the Bishop of Salisbury, Chancellor of the Order.* 1 *p.*

NEWS LETTER.

1684, April 17.—This morning the Council met at Hampton Court, where Mr. Godolphin took the oath of Secretary of State, and his Majesty again declared how satisfied he was with Secretary Jenkins' services. Letters from Holland say that the States General have told the deputies of Frizeland and Groningen, sent to demand the recall of their troops from Flanders, that they are too much concerned in the preservation of those countries to recall the troops, and that the Prince of Orange intended to depart as on Monday last for Brabant.

Mr. Brome Whorewood, who was to have been tried for seditious words, is dead.

The Spanish ambassador has asked leave to raise three new regiments here for Flanders and to recruit those already there, but has not yet had an answer. The Resident of Venice has also asked permission to buy and arm four ships here for the service of his State. 1½ *pp.*

DUKE OF ALBEMARLE to CAPTAIN LEGG.

1684, May 8.—Order to send two parties of his Majesty's troop in Lord Oxford's regiment at Kingston "by eight of the clock to-morrow morning at farthest to attend his Royal Highness, the one at Putney and to carry him to Richmond ferry, and the other to be at the other side of Richmond ferry to carry him from thence to a green by Belfonds [?Bedfont], where they carried him last." *Signed.* ½ *p.*

With note by W. Winde that the order was received at three quarters past six in the evening.

JOHN SHAW to the DUKE OF ALBEMARLE, at Windsor.

[16]84, May 24. Colchester.—A "great and numerous conventicle" has been held in St. Mary's parish. Two young gentlemen, Mr. Seaman and Mr. Thorowgood, informed Alderman Hinmarsh thereof, the nearest justice of the Peace, who would not go to suppress it, saying he would send his maid to look for a constable, but neither "the justice or his maid or any constable went to disturb them." On the oaths of the two gentlemen, I convicted the only two persons whose names they

could remember, and they have paid their fines, but I cannot learn certainly the name of the preacher, though I hear that it is one Mr. Legg, who lives in Suffolk, about ten miles from Colchester. The conventicles are as frequent and numerous as ever. I doubt not that your Grace will take care that for the future such unlawful assemblies receive no countenance here. 1 *p.*

CHARLES II. to AUBREY, EARL OF OXFORD.

1684, June 22. Court at Windsor.—Order that the King's own troop, under Capt. William Legg, is to march on the 29th from Kingston to Guilford, and so by Petersfield to Portsmouth, to relieve the Earl's troop there, and while there is to be under the orders of the Governor of the garrison. *Sign manual. Countersigned by William Blathwayt.* ¾ *p.*

THE SAME to THE SAME.

1684, October 20. Court at Newmarket.—Order for the King's own troop, under Capt. Legg, to march on the 27th inst. from Epping to Kingston in Surrey and quarter there, sending out parties in the day time to secure the highways from robberies and disorders. *Sign manual. Countersigned by Blathwayt.* 1 *p.*

Overleaf. Request by the Earl to Legg to put the order in execution.

EARL OF MIDDLETON to the DUKE OF ALBEMARLE.

1684[-5], February 2. Whitehall, 4 o'clock.—The King has been very ill with a fit which seized him about eight o'clock this morning, "but he is, thanks be to God, much come out of it, and he continues so well that the physicians have great hopes all danger is past." I doubt not you will give all necessary orders for your Deputy Lieutenants and justices of the Peace to prevent disorders arising from false reports. *Signed.*

Postscript. I am to desire you to send orders to the several counties by express to-night. 1 *p.*

JAMES II. to the DUKE OF ALBEMARLE.

1684-5, March 23. Court at Whitehall.—Summoning him and his Duchess to attend the coronation of the King and Queen on the 23rd of April next. *Sign manual.* 1 *p.*

[LIEUT.-COL.] EDWARD GRIFFIN to the DUKE OF ALBEMARLE, at New Hall.

[16]84-5, March 24.—The King last night gave order that he would see his three troops of guards in Hyde Park this morning. I am sorry to tell your Grace that yours was so thin I was ashamed of it, only six score and four in all. On calling the list, I found fifteen absent of whom no good account could be given, so I have ordered them all to the Marshal until I know

your pleasure. The King "said publicly we were the weakest troop of the three. He was pleased to exercise us himself, and said we were good boys and did very well." 1 *p.*

CAPTAIN W[ALTER] LITTLETON* to LIEUTENANT WINDE.

1685, March 25.—Lord Oxford has commanded me to order all officers of his regiment to their posts, as the Brigadier will review us next week. On Monday Sir John Parsons† and I go together. ½ *p.*

WILLIAM FINET to the DUKE OF ALBEMARLE.

[16]85, April 6. From the Rules in the King's Bench.—"There is a verse in Martial's epigrams that *Ille dolet verè qui sine teste dolet.* I may now say, *Ille dolet verè qui sine veste dolet,* being that I cannot suit myself, in company with some gentlemen my fellow prisoners in this place. Moreover, such is my severe fortune that the subsistence money I have will not allow me both food and raiment. I was a domestic once under your Grace's roof. If you please to bestow on me at this time a livery for my old master's sake of blessed memory, I shall think myself a person of some fashion, and sooner forget my name than my engagements to your Grace's favours, which, so multiplied, would engage the ungrateful to an acknowledgment. I must confess your love hath been still more manifested by the effects of your goodness than [by] any desert of nine, but my pen must not run in such a complimental strain least I gain the reputation of a fine-tongued courtier and lose that of honest Will Finet. . . . . I hope your Grace may dispense for two hours' space with the service of either honest Mr. Chapman or Mr. Fountaine, that I may drench my long beard with two bumpers of claret to both your Graces' healths and make his face cheerful who with the muddy ale of Southwark is much put out of countenance." 2 *pp.*

PHIL. PARKER to the DUKE OF ALBEMARLE, at New Hall.

1685, April 14.—"Mr. Vice-Chamberlain being sick in the country, I applied myself to the lord of Windsor, who is in waiting, and having kissed the King's hand I acquainted him with my concern, who was pleased to assure me that he did think I had always served for Ipswich, but he would try if Mr. Pepys would quit his pretences to Harwich,‡ and commanded me to wait on him about an hour after at Whitehall, where, having spoke to Mr. Pepys, he told me he found him unwilling to do it, but he was resolved I should be a Parliament man, for he would recommend me (and so should your Grace) to Sandwich, and bid me trust to him, and so dismissed me with assurance of his favour.

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* Captain, and in July of this year, Major of the Royal Regiment of Horse.
† Captain of King's troop in the same.
‡ Compare letter of Pepys to the Duke in the Buccleuch Report. p. 341.

He enquired how I thought your Essex election was like to go. I told his Majesty what I question not but to hear, that is that you won the field." ¾ *p.*

JAMES R. [DUKE OF MONMOUTH] to CHRISTOPHER, DUKE OF ALBEMARLE.

[1685, June, before the 23rd.]—Letter summoning his "trusty and well-beloved cousin and counsellor" to cease hostility and to repair to his camp, on pain of being proclaimed a rebel. *Copy.* 1 *p.* [*Printed in Ellis's Original Letters, 1st series, Vol.* III, *p.* 340.]

DUKE OF ALBEMARLE to JAMES SCOTT, late Duke of Monmouth.

[1685, June, before the 23rd.]—Answer of Albemarle to the above letter, declaring that he will never be a rebel to his lawful King, James II. *Copy, on the same sheet as the above.* ½ *p.* [*Printed ut supra, p.* 342.]

JAMES II. to the COLONELS, &c. in his service.

1685, July 21. Court at Whitehall.—Order for allowances to deserving non-commissioned officers and soldiers disabled in the service of the Crown or having served twenty years, until the Royal Hospital at Chelsea shall be ready to receive them. A private soldier to have 5*d. per diem*; a dragoon 6*d.*, a corporal 7*d.*, a sergeant 11*d.*, one of the light horse 12*d.*, one of the troops of guards 18*d.*, and the men qualified to be certified by their colonel or commander. *Copy certified by Blathwayt.* 2 *pp.*

EARL OF OXFORD to SIR JOHN PARSONS at Kingston.

1685, August 18.—Order to march his troop to Brentford on the 21st, and the day following, to the Camp on Hounslow Heath to join the rest of the regiment. *Signed.* ½ *p.*

NEWS LETTER.

1685[-6], January 7.—Yesterday being Twelfth day, the King, according to custom, played in the Privy Chamber at Whitehall with several of the nobility. The Lord Chancellor is appointed High Steward for Lord Delamere's trial, for which thirty Lords are likewise summoned. The King has created Adam Loftus Lord Viscount Lisburn. The Court comes to Whitehall from St. James' next Monday.

Jan. 8.—The proclamation proroguing Parliament to the 10th of May will be out to-morrow. The Bishop of Durham is sworn a Privy Councillor in the room of the Bishop of London. Mr. Darcy and Mr. Fox, upon their humble submission, have been permitted to kiss the King's hand. 2 *pp.*

JOHN COPLESTON to the DUKE [OF ALBEMARLE].

1685[-6], March 18. Old Palace, Westminster.—The clergy are much startled that their license to preach is to be but during pleasure. Lord Dover's* regiment is to be turned into a fourth troop of guards, and some say he is to be secretary for military affairs, as Lovoy [Louvois] is for French ones. The meeting of the Scotch Parliament is put off and Lord Murray is Lord Commissioner. The Treasury there is to be in commission, as being too big for one person. "I hear my Lord Moulgrave is married and that Northumberland already repents his" (*sic*).†

The Court is removing to St. James' and thence to Windsor. All the forces are to be on Houndsloe Heath before the last of April. The French King is rather worse than better. "He will not endure to hear of lancing, and without that his cure will be tedious and difficult." The Dutch Commissioners are gone without anything done for the satisfaction of our East India Company. If I can serve your Grace, I beg you to command me. 1 *p.*

JO. COPLESTON to the DUKE OF ALBEMARLE.

1686, April 10. Old Palace, Westminster.—It has been confidently said that the King meant to be with your Grace at New Hall for three or four days this week. "Some said it was only to hunt, but the Polls shook their heads and seemed to apprehend great things." The Earl of Anglesey died on Tuesday, of a kind of quinsy. He told Dr. Sharpe that he ever was of the Church of England, and would die so, and said he was willing to receive the Sacrament but could not swallow. He has left his lady executrix "and pretended a debt due from the King of 30,000*l.*, viz.: 3000*l.* per annum for ten years, payable out of the inheritable part of the Excise, for surrendering his Vice-Treasurership of Ireland to Sir George Carterett. Duke Hamilton and the other Commissioners came on Tuesday, and some say the King will come over to their proposals. They return next week, although Hamilton says he is not well and desires to go to the Bath. "Our two Dukes of Grafton and Northumberland are returned from Flanders, where they have left the new Duchess in a nunnery. They say she was willing to stay and will try the good nature of her Lord, and her friends here are willing she should do so."

A poor woman at Honiton presented a petition against an ensign for plundering her, pretending her husband was a rebel. The Lord Chief Justice sent for the ensign, and on his refusal to come sent him to Exeter gaol. "This caused some passion there among the Scotch officers. The ensign was of Dunbarton's regiment.

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* Henry Jermyn, Baron Jermyn of Dover.

† "The Duke of Northumberland hath lately married Capt. Lucye's widow, who was a poulterer's daughter; since which she hath been carried beyond sea against her will." *Memoirs of Sir John Reresby*, ed. Cartwright, *p.* 373.

"There is not a great kindness between the Lord Chancellor and Chief Justice for freeing those out of prison who were excepted as officers or reputed officers in Monmouth's army. The Chief Justice said they might be corporals or sergeants. He was sure they were so poor the Chancellor would not have gotten his fees for their pardon. The Chancellor bid his Lordship be advised how he studied popularity." *Seal of arms.* 2 *pp.*

[Thos Vivian] to the Duke of Albemarle.

1686, April 10.—Tuesday last, Duke Hambleton, Sir Lockeard [Sir George Lockhart] and Major General Dromond came from Scotland. The new Commissioners of the Navy are settled. The French will have out forty or fifty capital ships, and it is supposed may meet the Spaniards. The King went to-day to Hounslow to see the ground laid out for the camp, and dined in a bake-house, built at the end of the new soldiers' hospital on the Heath. "Mr. Shales, the Commissary for provisions, treated the King in some rooms of the bake-house which he designs for himself. If the King had gone Wednesday last, my Lord Bellasis had treated him at his house by Twittnam near the Heath. The King came home very well pleased, Lord Dartmouth in coach with him and Lord Hunsdon in other of the King's coaches."

It is thought that the King of Persia has joined the confederacy against the Turks, by means of the King of Poland. "The King of Poland (Persia?) is persuaded into the war by his rights to Babylon, which is kept from him. Colonel Stroude's regiment is given to Major Eaten, and Hastings to be major." Sir Thos. Stringer does not come to London till Wednesday or Thursday next. No talk of hunting for next week. Some ten or eleven companies of Lord Dumbarton's regiment are coming for Portsmouth and so to the camp. The rest are said to be landed in Scotland. Six companies of Col. Trelawny's regiment went into Plymouth last Tuesday. $1\frac{1}{2}$ *pp.*

Tho. Vivian to the Duke [of Albemarle].

1686, April 13.—If possible, your Grace should come to town before May, (when the Court leaves it,) and make your own daily application to my Lord Treasurer, especially on Monday mornings, (Tuesday evenings being the constant time for the King to come to the Treasury), otherwise the business may have to wait until winter, when his Majesty returns. Sir Philip Howard is as ill as can be to live, and every hour for the last three or four days his death has been expected. Lord Anglesey, when dying, expressed himself a son of the Church of England. The Queen has been ill with swellings in her side. The doctors think there is no danger, and yet I believe cannot tell what it is. The Duchess is well at Newcastle House. 1 *p.*

[Major] W[alter] Littleton to Sir John Parsons.

1686, June 15.—Desiring him, on June 18, to march his troop from their present quarters at Edmonton and Tottenham high cross to Westminster. *Signed.* ½ *p.*

James II. to the Commissary General of Musters.

1686, June 25. Court at Windsor.—Order that upon all musters, an abstract is to be presented to his Majesty, with the numbers of officers and men in each regiment, troop or company, the absentees and cause of their absence, and the time of entrance of all new soldiers and officers. Also to specify if any be dead, discharged or run away. *Sign manual. Copy.* 1 *p.*

[Capt.] William Parsons* to Captain Wind.

1686, July 23.—My brother has given Mr. Burton leave "to take care of his business now in hand about a commission" but he will not stir unless you give it him also. I pray you favour him, as he is one that I have an extreme kindness for. ½ *p.*

James II. to the Earl of Oxford.

1686, August 2. Court at Windsor.—You are to send our own troop, whereof Sir John Parsons, Bart., is captain, this day to Croydon, and the day following to Sevenoaks, to relieve the detachment of horse there, "and to send out parties to attend our dearest daughter, the Princess Anne of Denmark, during her stay in those parts." With writ of assistance. *Sign manual.* 1 *p.*

The Same to the Same.

1686, August 5. Camp on Hounslow Heath.—Order that upon the arrival of the troop in "our dearest consort the Queen's regiment," under Capt. James Fortrey, at Sevenoaks, the King's own troop, of which Sir John Parsons, Bart., is captain, is to march to Kingston-upon-Thames. *Sign manual. Countersigned by Wm. Blathwayt.* 1 *p.*

James II.

1686, August 5. Court at Windsor.—Warrant for imprest of a waggon with horses and driver to carry the baggage of the King's troop from Sevenoaks to Kingston-upon-Thames. *Sign manual. Countersigned by Blathwayt.*

[Major] W. Littleton to Captain Winde.

[1686, August ?] †12, Thursday. —"I have just now been with the Secretary at War, who tells me your troop with

* Of the 1st Regt. of Foot Guards. Lieutenant Winde is, from this time, addressed as Captain.

† Luttrell mentions a progress of the King into the West in the August of this year (vol. 1, p. 384) and the 12th fell on a Thursday.

some other troops march on Saturday next to Reading in order to wait upon the King into the West. Pray let Sir John Parsons know this, and the rest of your officers and soldiers, as they may be ready." ½ *p.*

JAMES II.

1686, August 13. Court at Windsor.—Warrant for impress of a waggon, &c. for the King's troop, going from their present quarters to Reading. *Sign manual. Countersigned by Blathwayt.* 1 *p.*

JAMES II. to the EARL OF OXFORD.

1686, August 15. Court at Windsor.—Order for Sir John Parsons' troop to march from Reading to Bristol, according to the route annexed. With writ of assistance. *Sign manual. Countersigned by Blathwayt.* 1 *p.*

Annexed:—

Route for Sir John Parsons' troop.—Aug. 17*th to Newbury* (15 *miles*), 18*th to Marlborough* (15 *miles*), 19*th to Chippenham* (15 *miles*), 20*th to Marshfield* (7 *miles*), 21*st to Bristol* (10 *miles*). *Signed by Blathwayt.* ½ *p.*

JAMES II.

1686, August 16. Court at Windsor.—Warrant for impress of a waggon for the use of the above troop. *Sign manual. Copy certified by Blathwayt.* 1 *p.*

JAMES II. to the EARL OF OXFORD.

1686, August 25. Court at Windsor.—Order for Sir John Parsons' troop to begin their march to Reading on Friday next [Aug. 27]. *Sign manual. Countersigned by Blathwayt.* 1 *p.*

The SAME to the SAME.

1686, Sept. 5. Court at Windsor.—Order for Sir John Parsons' troop to march from Reading to Maidenhead before Tuesday next "to conduct our dearest sister the Queen dowager" from there to Reading, obeying the directions of Lewis, Earl of Feversham, Lieut.-General of the forces. *Sign manual. Countersigned by Blathwayt.* 1 *p.*

JAMES II.

1686, Sept. 5. Court at Windsor.—Rules for the regiments of horse and dragoons.

1. Wherever a regiment is quartered, one field officer and half the captains to be present.

2. Also one commission officer, besides the quarter-master, present with each troop.

3. If the troops are separated, one captain to be always present with each two troops, and a commission officer, besides quarter-master, with each troop.

4. Where a troop is alone, the captain, lieutenant or cornet and the quarter-master always to be present.

5. In the absence of the quarter-master, two commission officers to be present.

6. One field officer to be always present "with that troop of each regiment."

And weekly lists of the officers absent and present to be sent by the commanders to the King. *Sign manual. Copy.* 1 *p.*

WIL. MONTFORT to the RIGHT HON. CAPTAIN WIND.

1686, Sept. 5.—Complaining that his confinement, by Quarter-master Connisbey's orders, is destructive to his health, and praying for liberty to walk abroad. ½ *p.*

P. ALDCROFT to CAPTAIN WINDE.

1686, Sept. 7. London.—I heard of the Queen's journey yesterday morning. I went to see Mr. Bowker, and left word with his wife for him to come to me or go down to Reading. "To-morrow the Queen dowager comes from Windsor and your troop receives her at Maidenhead and conducts [her] to Reading, where they will continue till her return." If you need money draw a bill, and as soon as any is received, I will see it paid.

Addressed: "For Capt. Winde at the White Heart (*sic*) at his quarters in Reading." *Seal of arms, broken.* 1 *p.*

THOMAS, BISHOP OF EXETER, to the DUKE OF ALBEMARLE.

[1686 ?] September 29. Exeter.—Requesting him to insert a certain "general proviso" into the new charter of the city of Exeter, in order to the preservation of the privileges of the Church there, and also stating the desire of the loyal gentry that Mr. Bear may be made Deputy Recorder of the city, "who will do his Majesty service with prudence, faithfulness and courage." *Seal, with arms of the see.* 1 *p.*

ROYAL REGIMENT OF HORSE.

[1686, Sept. ?]—The duty of Capt. Adderley's troop.—To send fifteen men half way betwixt Newbury and Reading. Fifteen more at Reading to receive the Queen's Majesty there. Six men to stay at Reading to relieve six of the King's troop with the carriages.

The duty of the King's troop.—One man to be sent with an order to Capt. Adderley's troop. Next, to draw up on to-morrow morning early near the White Horse, and to detach off a party of fifteen to attend her Majesty to Reading, and six to go early in the morning with the Queen's carriages. Two men to go with

the waggons that the Clerk of the Kitchens sends, and at Reading, two of Capt. Adderley's troop to go likewise on the same duty. 1¼ *pp.*

[Major] W. Littleton to Captain Winde.

[1686?] Oct. 7, Thursday. Wallingford.—Desiring him to have his troop ready to be mustered at ten o'clock the following morning. 1 *p.*

King's own troop.

1686, November 1.—Muster roll of the King's own troop in the Royal regiment of Horse, commanded by Aubrey, Earl of Oxford. —Sir John Parsons, Captain; William Winde, Lieutenant; Richard Wise, cornet. With quartermaster, three corporals, a kettle drum, two trumpets and fifty privates. 2 *pp.*

[Lieut.-Colonel Sir] Fr. Compton to [Capt.] Sir Charles Wyndham* at Reading.

1686, Nov. 17. Henly.—Desiring him to have his troop drawn up for muster at one o'clock this day. ½ *p.*
Noted as received at half-past eleven.

Sir John Parsons to Captain Wind.

[1686?].—"I will not march this night. My whole troop is out upon parties, and let it lie at Braithwait's door. To-morrow by break of day I will march, and will be with you this night to take care of every thing as to the discharge of the quarter while they have been there. Take two inns, or one will almost serve what is there now." If the other troop come in, pray tell the officer to send a party to relieve us. 1 *p.*

The Same to the Same.

[1686?] Wednesday the 7th. Tunbridge.—Pray deliver the enclosed to the Lieutenant-General. I do not know who commands, so cannot direct it. "Tis concerning a party to attend the Prince from Croydon, to which place I shall attend him with parties. I hope to see you, having got leave to come for London till his return." 1 *p.*
Addressed: "For Lieutenant Wind, in his absence to the Cornet Wise." *Seal, broken.*

Cornet R. Wise to Captain Winde.

[1686?] Friday.—Apologising for not waiting on him, as he has to return at once, and giving him notice from Sir John [Parsons] that the troop marches from Kingston next morning, and that he is desired to come to quarters accordingly. ½ *p.*
Addressed: "To Captain Winde at his house against the Earl of Craven's in Drury Lane."

* Both of the Royal regiment of horse.

[Orders by the Earl of Oxford.]

[1686?]—Orders for clothing the officers of his Majesty's royal regiment of horse under my command.

1. All the captains' coats are to be of blue cloth faced with the same, the lace of the said [coats] must be of gold, laid double upon every seam and slits with a gold foot between the two laces. The buttons of gold thread with a gold fringe round the sleeves under which must be laid the same lace as down the seams.

2. All the lieutenants' and cornets' coats must be the same as the captain, only a single broad lace on each seam and slits and sleeves, the fringe excepted.

3. The quartermasters' coats must be of the same cloth as the rest of the officers, with a gold edging down before, at the pockets, slits and round the sleeves, with a broad lace round the sleeves, as the lieutenants and cornets, and gold buttons as the rest of the officers.

4. The pockets of all the coats must be of the same fashion, viz., with two long slits on each side.

5. Every officer must have a black hat edged with a gold lace and with a white feather.

All the cloth for the aforesaid coats must be taken up at Mr. Mannocks, a woollen draper in the Strand, the lace and fringe at Mr. Goslins in Paternoster Row, where patterns are already left.

The trimming of the hats must be yellow, as also the cravat strings. *Certified copy* by Major W. Littleton.

J. Peachell [Vice-Chancellor and Master of Magdalen College] to Mr. Fairwell.

[16]86-7, Feb. 28. Magd. Coll., Camb.—"But that our duty requires us to acquaint his Grace our Chancellor with our extraordinary affairs, at least, I should be both sorry and ashamed to give him so much trouble and so oft. I acquainted his Grace last Tuesday at night by one of our esquire beadles, what was done that day amongst us in reference to Father Francis: that declining to admit him to the degree of Master in Arts without the oaths required by 1 Eliz. cap. 1.; 5 Eliz. cap. 1, and 7 Jas. I, cap. 6, we threw ourselves at his Majesty's royal feet in our letter to the Earl of Sunderland, pleading these laws and deprecating his displeasure.

Yesternight we had another letter from his Majesty, commanding the very same again, which doth wonderfully afflict us, not knowing how to avoid either his sacred Majesty's displeasure or the censure and condemnation of the law and our own consciences. I pray God direct and help us, for we design uprightly and loyally, and I pray present our humble duty with this notice to his Grace, whom we pray God also to bless, and pray him, if he knows how conveniently, both to help and counsel us. The Almighty God bless our dread Sovereign, our gracious Chancellor and this loyal University."

Postscript. Dr. Montague is come home, but I hear not a word of Muriells'.

Addressed to "Mr. Fairwell at Newcastle House, in Clerkenwell. In absence, for any other of the chief domestics, to be speedily communicated to his grace, the Duke of Albemarle."

EARL OF BATH to his kinsman, the DUKE OF [ALBEMARLE].

[Before 1688.] Stating that he encloses a letter just received from Sir Thomas Clarges, "whose person in the square" he presumes his Grace well knows. [Imperfect]. 1 *p.*

H[ENRY,] BISHOP OF LONDON, to the DUKE [OF ALBEMARLE].

[1688, beginning of ?].—Recommending the bearer as household chaplain, he being the fellow of a college, and of good standing and position, and stating that another shall also be ready to attend him when he takes his voyage, a "very ingenious man," one Mr. Arwaker, desiring that honour. 1 *p.*

ROBERT MILLINGTON to the OFFICER IN COMMAND of the squadron of the Duke of Berwick's Regiment* at Northampton.

[1688], March 12.—The Major wishes me to tell you that it is the Duke of Berwick's orders that all the cornets of your squadron are to provide their men with "musterable horses and equipage to carry the colours, for the Duke will have no private soldier carry them. This is the order that I received, and that the rest may be sent from Northampton to each troop." ½ *p.*

EDWYN STEDE to the DUKE OF ALBEMARLE.

1688, March 30. Barbadoes.—I have been prevented by long sickness from writing to your Grace. I have letters from London of February 8, but no news of Sir Robert Holmes and his squadron coming to suppress pirates, in spite of his Majesty's proclamation in January concerning this voyage. "The great and good news of her Majesty's being with child is continued hitherto as certain. I pray God send her a young prince." The Queen dowager is said to be very ill. There have not been many removes of officers or persons in high places, except in corporations, but the Duke of Berwick has been put in Lord Gainsborough's place as Governor of Portsmouth. I formerly gave you an account of the death of Count Dalba, "who stood fair to obtain this government." I am told there are many competitors, but it was thought Col. Sarsefeild stood fairest for it, if Col. Halsall did not accept it, so that I shall probably shortly resign, unless your Grace's account of the good condition in which you found this island may

* Late Earl of Oxford's Regiment, *i.e.*, Royal Regiment of Horse.

incline his Majesty to continue me in the post. I have heard no news from the wreck, nor of Sir John Norborough's proceedings there, but it is feared that many of the small vessels have fallen into the hands of the Biscayers, the worst pirates in these seas, for they take all they can, confiscating the vessels and goods, and murdering the men, as I am told from the Leeward islands, whence I also hear that Lord Mordant, with three great Dutch men of war and two fireships, has gone to the wreck from St. Kitts, intending to have as good share as he can get, and saying that he will engage in battle with Sir John if hindered by him. There is said to be a new wreck of great value discovered on the coast of Florida. I hear that two ships from Holland, laden with planters, servants, and all necessaries for planting, have arrived at Tobago, intending to settle that part of the island formerly settled by the Dutch but afterwards destroyed by the French, who oppose the new settlement and are sending two men of war and a fireship from Martinique to beat off the Dutch. When your Grace was here, you promised to represent to the King the poor and decayed condition of this once flourishing and ever loyal island, and to support our petitions to be eased of the ruinous burden of the additional duty on sugar, to which end I presume to trouble your Grace with the enclosed papers, showing the expense and hazards attending the making of sugar, and also a fresh petition to his Majesty from the Council and Assembly here, praying you to use your powerful influence on our behalf. We are all here hoping to hear of your Grace and my lady Duchess' safe arrival in Jamaica. 2 *pp., very closely written.*

News Letter.

1689, June 15. London.—"One Mr. Vernon having left Dublin the 8th instant, gives an account that King James was extremely busy in marshalling his army, and that the Parliament continues to sit but had made little progress, they being upon the bill for disposing absentees' estate.

Two days before he came, King James received an express from the French King, but the subject was not known, but the Council was called and the next day a considerable detachment of the army was made, and the King declared he would besiege Londonderry with twenty-five thousand men and Inniskellin with fifteen thousand, and hazard the loss of his men but he would take it.

The said gentleman confirms that the Irish army has had several shameful repulses before that city, and the papists themselves own three thousand soldiers to be killed before it and between thirty and forty officers, and that they were very much concerned of the advice of Col. Kirk's coming forward to Londonderry, and the King publicly declared that he would be willing to have ten thousand men less in his army than the single person of Duke Scomburgh [Schonberg] to come against him, having that experience of his valour and conduct.

About forty protestant gentlemen have been lately seized upon pretence of plotting against the Government.

Serjeant Ingolsby was summoned before the House of Peers, and demanded that being a papist, why he remained in town. He answered he had perused the Act and found that he came under the exceptions as being a housekeeper, and was discharged."

Magazines have been set up at Bristol, Liverpool, Mynehead and Chester, with stores for the army in Ireland. Twenty Dutch ships of war have joined the King's fleet at Spithead and will speedily put to sea. The Earl of Torington has treated Vice-Admiral Almond and the other Dutch commanders on board his ship.

Paris letters say that the King has sent letters to Brest withholding his fleet from going to Ireland, since the English and Dutch ships might meet with them, and has given secret orders to the Admiral to proceed upon some other design. He has sent several leading men to the Bastile "especially those of the new converts, upon pretence of holding correspondence with some of his declared enemies, in order to make an insurrection in his kingdom. On the 20th the French King received an express that the King of Denmark acquitted (*sic*) his interest and taken part with the confederates, upon which he summoned an extraordinary Council, where it was ordered that an express be returned with larger offers than heretofore, to persuade that King firm to his allegiance, otherwise threatens to denounce war upon him. In mean time the Danish ambassador at Paris has orders not to stir from Court till further order.

"This day's votes. A report was made about Mrs. Fitz Harris was instrumental to prevent a plot [against] the Lord Shaftesbury and other protestants. A motion was made that she be recommended to his Majesty for her pension to be received that was stayed in '81, which was ordered accordingly. Ordered that the bill of the presentations and advowsons of papists to the two Universities be read next Monday. The engrossed bill from the Lords to reverse the attainder of Mr. Cornish read and ordered a second reading. A bill to enable the Commissioners of the Admiralty to give the oaths and to commissionate officers except those of the trained bands read and ordered a second reading. A bill to enable the Irish clergy to hold English livings read and ordered a second reading. Ordered the Irish address be presented his Majesty but that no particular person be recommended. Ordered that his Majesty be desired to issue out his proclamation promising a reward for the taking of Sir Adam Blare and Dr. Gray. The House took into their further consideration the Act of Indemnity and made some further progress therein. Adjourned till Monday." 4 *pp.*

Baron of Spanheim, Ambassador extraordinary from the King of Prussia.

1710, August 28. St. James' Square.—Certificate that William Freeman, paver, is in his wages and service and so under his protection. *Signed. Seal with arms and coronet.* ½ *p.*

Sir Thomas de Veil to the Duke of Albemarle.

1735, Sept. 5. Leicester Fields.—States that on the 30th of January last, he had the good fortune (though at the hazard of his life) to rescue several nobleman and gentlemen from imminent danger, if not from death, at the Golden Eagle in Suffolk St., when all the newspapers were full of enconiums on his conduct. Although ill when Lord Middlesex sent for him, he went at once to his and his friends' deliverance, in consequence of which he was in bed for five weeks after. Prays that Lord Middlesex, Lord Harcourt, or any of the persons concerned in that affair may have a hint given them of how much he has been neglected, and hopes that his Majesty will some time reward the faithful service of three and thirty years, which expectation is the better grounded as the Duke of Newcastle has lately made him (although a stranger) deputy-lieutenant of Middlesex and lieut.-colonel of the Red Regiment of Westminster Militia, and Lord Harrington has promised to induce his Majesty to provide for him.

List of persons present in the affray—Lord Middlesex, Lord Harcourt, Lord Boyne, Lord John Murry, Mr. Wm. Denny, Sir James Gray, Mr. Scawallis Shirley, Mr. Stroud. 3 *pp.*

Lord Cobham to the Duke of [Montagu?].

1740, August 19. Stowe.—Recommending the bearer, Read, for the vacant place of a gunner in Jersey, he having served as sergeant in the last war, and been discharged by Lord Pembroke, since which he has had a pension of but 5d. a day, and has been nearly starved. 1 *p.*

Duke of Bolton to the Duke of Montagu.

1742-3, February 6. Hackwood.—Acknowledging the receipt of his Grace's most kind letter in relation to the master gunner's place, which he takes as kindly as if he disposed of it himself. ½ *p.*

Earl of Godolphin to the Duke of [Montagu].

1743, October 10. Houghton.—Requesting the appointment of Walter Thomas, an inhabitant of the Scilly Isles, to the first vacant gunner's place there.

Edward Younge to the Duke [of Montagu].

1745, October 9. Dunford.—Stating that his Grace's kindness obliges him to make use of David's words, "O Lord, what thanks can I render unto Thee for all the benefits Thou hast done to me and mine." ½ *p.*

Sir Edward Walpole to the Duke [of Montagu].

1745, October 29. Pall Mall.—Requesting a labourer's place in the Tower for one George Brown, a reduced smith, there being now two vacancies there. ½ *p.*

VISCOUNT LYMINGTON to the DUKE [OF MONTAGU ?].

[Before 1749,*] June 23. Farleigh.—Having heard from Mr. Cockburn that his Grace will appoint George Raynoldson garrison gunner of Portland Castle, he returns a great many thanks, esteeming it a particular favour to himself. ½ *p.*

[JOHN] DUKE OF MONTAGU to LORD ———

[Before 1749*.]—Stating that he encloses a petition received from Sir Adolphus Outon, and also a letter from Warwickshire, and begging for consideration of the case, as the poor man is to be executed on Friday next, unless pardoned or reprieved before that day. 1½ *pp.*

INCOGNITO (*sic*) to the DUKE OF MONTAGUE.

Queen Street, Westminster.—"To hear a tale which amongst all the shining honours your Grace so richly becomes may yield you a moment's diversion—viz:

That a clothier's daughter comes to town with her father to buy her wedding clothes—is waited on by her spark to see a play, the tombs, the Tower, &c.—till, upon the Mell, your Grace's shape and air blinded her to all the other glories of the town. Now her spark is nothing to her—though the wedding day was set—cant love him, wont marry him, or be persuaded to go in the country, nor can the authority of a father now prevail, though he has carried down all the fine clothes. She falls sick, is left with her aunt, where she is extremely melancholy, nor will she permit the abandoned spark to come up, though he begs it in the most passionate manner. We have room to guess the distemper is love, though the object has been a secret till last week, when from her window, which looks into the Park, she saw your Grace—cried out, did you ever see so fine a man as the Duke of ———, blushed, turned pale, fainted and fell into tears. Surprised at her folly, I pity her, and as a woman have sworn to keep the great secret. For the world your Grace should not see her, yet she dwells at the window to feast her eyes once more. The design of this is to inform your Grace that she goes every day to one Mrs. Wharton's, who sells Hollands and fine laces, and has an apartment at the Spread Eagle and Hat in Pall-mell. Your Grace, in the habit of a private person, may see if a maid who cannot love below a Duke deserves either scorn or pity. 'Tis true she's a maid that's virtuous and witty, not old nor ugly. I am her confidante, and hope she'll never know I've played her false." *Seal of arms.* 1 *p.*

Endorsed "Odd love letter."

* John Wallop Viscount Lymington, (son of the 1st Earl of Portsmouth), and John, Duke of Montagu, both died in 1749.

INDEX.

A

Abbot, George, Dean of Winchester, 33.
as Archbishop of Canterbury, letter purporting to be from, 104.
Abergavenny (Aburganie), Edward Nevill, Lord, 52.
Aberleigh (Aburleigh), co. Cardigan, castle of, 80.
Abernethy (Abernathee), Corporal, 169.
Aberye, co. Northampton, 26.
Accounts, Committee of, at Brooke House, 177.
Achilles and Briseis, alluded to, 121.
Acton, Alderman Sir William, 128.
as Lord Mayor, 141.
Adams, Martin, 3.
Adderley, Captain, troop of, 196, 197.
Admirals, Lord High. *See* Clinton, Lord, Howard, Charles *and* William, Lords, *and* Nottingham, Earl of.
fees of, 58.
Admiralty, the:
Commissioners of, 201.
offices and fees in, 58.
profits of, granted to Lady Buckingham, 113.
Africa, Dutch victory in, 143.
Ager, William, letter to, 22.
Albemarle:
George Monck, 1st Duke of:
—— letters or orders from, 168 (2), 169 (2).
—— letter to, 168.
—— reference by, 168.
—— portrait of, asked for, 183.
—— servant of, 190.
Christopher Monck, 2nd Duke of, K.C.G. 183, 184, 187.
—— letters from, 176, 179, 188.
—— letters to, 172, 174, 177-193, 196, 199 (3).
—— as Chancellor of Cambridge University, 178-180, 198.
—— as Colonel of the King's own troop of Life Guards, 180.
—— as Lord Lieutenant (of cos. Devon, Essex and Wilts.), 189.
—— proposal of, for farming the revenue, 187.
—— commission to, 188.
—— summons to, to attend the coronation of James II., 189.
—— summons to, from the Duke of Monmouth, 191.
Albemarle, 2nd Duke of—*cont.*
—— answer of, to Monmouth, 191.
—— going as Governor to Jamaica, 199, 200.
—— troop of, *See* Army.
—— wife of, 180, 184, 189, 190, 193, 200.
—— servants of, 199.
—— chaplain for, 199.
William Anne Keppel, 2nd Earl of, letter to, 202.
Aldcroft, P., letter from, 196.
Aleyn, Dr., 168.
Alford, Mrs., 19.
Algiers (Algeire), man of war of, 166.
Almond, Vice-Admiral (Dutch), 201.
Alsace (Else), 97.
Altheim or Alzei (Alsome or Attzei), surrender of, 100.
Althorpe (Althrop, Allthrop), co. Northampton, letters dated at, 105, 109, 110.
Alton [? Aulton], co. Essex, park of, 72.
Altum Peccum. *See* High Peak.
Alzei. *See* Altheim.
Ambrose, Saint, alluded to, 38.
Amsterdam, news from, 118-121, 123, 125-127, 136, 142, 159.
Andernach, on the Rhine, 143.
Andrews, Lancelot, Dean of Westminster, 33.
Anglesey:
Arthur Annesley, Earl of, Treasurer of the Navy and Vice-treasurer of Ireland, 169.
—— death of, 192, 193.
—— wife of, 192.
Elizabeth Annesley, Countess Dowager of, receipt by, 116.
Anglesey (Anglicæ), musters in, 82.
Angola (Angona), province of, in Africa, 142, 143.
Anguien *or* Enghien (Angurin), Duc de, 126.
Anhalt (Anhalte), Prince Christian of, 100.
Anne:
Queen, wife of James I., 88.
Princess of Denmark, daughter of James II., 194.
Anstie, Mr., parson, 92.
Antrim, Earl of [Randal Mc. Donnell], 147.
capture of, 154.
wife of. *See* Buckingham, Duchess of.
mother, brother, and sisters of, 154.
country and castle of, 154, 155.
Antwerp, 118.
Apostles, the, doctrines of, 35, 36.

Apthorpe, Apethorpe, co. Northampton, letters dated at, 89, 92.
Archer, of Grey's Inn, 152.
Archery, 25, 26.
Commissioners for, 25.
Arcliff (Archieffe) near Dover, bulwark of, 68.
Arden, Robert, 157.
Argilliers, 136.
surrender of, 142.
Argos, 121.
Argyll (Argile), Archibald Campbell, Earl of, nephew of, 9
Archibald Campbell, Marquis of, 147.
—— regiment of, 147.
Arlington, Henry Bennett, Lord, signatures of, 170-172.
Armeston. *See* Ormistoun.
Armoury, the:
Master and officers of, 59.
at Greenwich. *See* Greenwich.
Arms:
officers at, 59.
King at, principal. *See* Segar, William.
——, Clarencieux, 59.
——, Norroy (Norrie), 59.
Armstrong, Capt. Theodore, 169.
Armuyden (Armyde, Armue, Armewe), in Zeeland, 13-15.
Army:
of Queen Elizabeth, going into Scotland. *See* Scotland, English army going into.
of Charles I., 130, 132, 133.
——, going for Scotland, 124, 125, 127.
——, in the Civil War, 157.
of the Parliament. 157.
——, demands of, 163.
Army of the Restoration:
Brigadier in, 182.
commissary of provisions in, 193.
Coldstream Guards, Colonel of. *See* Craven, Earl of.
Horse and dragoons, rules for, 195.
Guards, the, called banditti, 180.
Lieut.-General of. *See* Faversham, Earl of.
Life Guards, the three troops of, 182, 189, 190.
——, King's own troop of, 180, 183, 184, 189.
——, ——, Colonel of. *See* Albemarle, Duke of.
——, ——, Lieutenant-Colonels of. *See* Ashton, Griffin, Villiers.
——, ——, Major of. *See* Bynns, Richard.
——, ——, Lieutenants of. *See* Egerton, William; Noel, Robert.
——, ——, officers of, 182, 183.
——, Queen's troop of, 183.
——, ——, Colonel of. *See* Howard, Sir Philip.
Army of the Restoration—*cont.*
Life Guards, Queen's troop of:
——, ——, Captain in, 183.
——, The Duke's troop, 184.
——, ——, Colonel of. *See* Faversham, Lord.,
Foot Guards, 1st regiment of, captain in. *See* Parsons, William.
Provost-Marshal of, 189.
Royal or King's regiment of Horse, 169-171, 173, 176 *note*, 191, 196.
——, Colonels of. *See* Oxford, Earl of; Berwick, Duke of.
——, Major of, 199; *and see* Littleton, Walter.
——, ——, acting. *See* Brett, Sir Edward.
——, officers of, 171 (2), 192; *and see* Compton, Lieut.-Colonel Sir Francis; Morley, Captain; Wyndham, Captain Sir Charles; Weld, Cornet.
——, ——, orders to, 199.
——, ——, orders for the clothing of, 198.
——, King's own troop in, 168-173, 185, 188, 189 (2), 191, 194-197,
——, ——, officers of. *See* Hawley, Lord; Legge, William; Parsons, Sir John, captains; Wynde, William, lieutenant; Wise, Richard, cornet.
——, ——, muster-roll of, 197.
——, ——, route for, 195.
——, Lord Oxford's troop in, 172, 189.
—— Sir Francis Compton's troop in, 176.
——, troop of, in Jersey. *See* Jersey.
the Queen's regiment of Horse, 194.
——, Captain in. *See* Fortrey, James.
See also Dumbarton, Stroude *and* Trelawny, regiments of.
Arnheim (Arnheine), General, 121, 124.
Artillery. *See* Ordnance.
Arundel (Arundell):
Thomas, Lord, of Wardour, 53.
and Surrey, Thomas Howard, Earl of, 51, 89 *note*, 124.
——, Council order signed by, 106.
——, letter from, 89.
——, wife of, 89.
Arwaker, Mr., 199.
Ash, co. Kent, 171.
Ashby (Ashbie), Francis, 23.
Ashley:
Sir Anthony Ashley Cooper, Lord, 170. *And see* Shaftesbury, Earl of.
Sir Jacob. *See* Astley.
Ashton:
Lieut.-Colonel Edward, of the King's troop of Life Guards, 183, 184.
——, letter from, 184.
Sir Robert, 47.

Askew, Sir Edward, 152.
Askome, Walter, 7.
Assessments, 159.
Assize, justices of, fees of, 56.
Astell, Ambrose, 30.
Astley *or* Ashley, Sir Jacob, 121, 134.
Attorney General. *See* Coke, Sir Edward; Herbert Sir Edward.
  fees of, 55, 56.
Atye, Mr. 20.
Audeley, George Touchet, Lord, 52.
Augmentation, Court of, 56.
Augsburg (Augusta, Auspurge), state of, 97.
Austin, Mr., master-cook to Charles II., 177.
  daughters of, 177.
Austria or the Austrians, 99, 122, 127, 186.
  Archduke Albert of, 91.
  —— Leopold (Leopaldus) of, 97, 126.
  army of, 127, *and see* Emperor, the, army of.
  lower, 99.
Austrian Ambassador, 160.

B

Babington, Henry, 83.
Babylon (Babilon), taken by the Turks, 124, 193.
Bachelor, Mr., 163.
Bacon, Sir Francis, afterwards Lord Verulam (*q.v.*), to be Chancellor, 93.
Baex (a Dutchman), 16.
Baden, Swiss Diet at, 160.
Bagshot (Bagshott), Surrey, park of, 74.
Bainam, an informer, 152.
Baker, [Sir John], 4.
Ball, S., letter from, 159.
Balthaser, Don, Imperial General, and his army, 99, 104.
Balthorpe, Mr., 7.
Bampfylde (Bempfeilde) Sir Coppleston, 185.
Banastre, Sir Robert, 156.
Banbury, co. Warwick, 157.
Bancroft, Richard, Bishop of London, 33, 44.
Bandinell, P., 176.
Bangor:
  Bishop of [Lewis Baily], statement by, 106.
  (Bangoren) Diocese, churches in, 84.
Banks, Bancks, Sir John, Lord Chief Justice of the Common Pleas, 131, 153.
Banner (Bannier, Banyer), Swedish General, 118, 123, 125-127.
Banstead (Bamstowne) Downs, Surrey, 162.
Baptism, use of the cross in, objected to, 34-40.
Barbadoes, 199, 200.
  letter dated from, 199.
Barbon, Mr., 34.
Barford, Gilbert, clerk, 83.
Barking, Middlesex, letters dated at, 17 (2).
Barlow (Barloe), William, Dean of Chichester, 33.
Barly, co. Devon, letter dated at, 174.
Barnaby, Mr., 7.
Barnard. Jo., 156.
Barnwell, Barnewell, co. Northampton, 29, 95, 113, 161.
  Castle, letters addressed to, 22, 94, 113, 129.
Barton, near Newmarket, 182.
Barwicke, Dr., 184.
Barwyke. *See* Berwick.
Basil, Saint, 39.
Basing (Baseinge), Lord St. John of. *See* St. John.
Bateman, Thomas, 27, 31.
Bath:
  William Bourchier, Earl of, 52.
  John Granville, Earl of, 168, 179 (2), 184.
  ——, letter from, 199.
  ——, son of. *See* Lansdowne, Lord.
Bath, knights of the, 48, 121, 155, 156.
Bath (the Bathes), co. Gloucester, 185, 192.
  keeper of, 77.
  the Queen goes to, 88.
Bavaria (Bavane) Duke Maximilian of, 98, 120, 143.
  ——, birth of a son to, 120.
  Elector of (in 1683), 186.
Bawton (co. Kent?), 170.
Bear, Mr., 196.
Beard, Mr., 34.
Beauchamp (Bewchampe, Beacham):
  Lord. *See* Hertford, Earl of.
  Lady and her daughter, 165.
Beauchamp (Beachamps) Court, letter dated at, 17.
Beaufort, Henry Somerset, Duke of, 188.
Beaumaris (Bewmaris), Mayor of, 140.
Becher, Sir William, clerk of the Council, signature of, 124.
Beck, Imperial General, 136.
Bedford:
  Francis Russell, 2nd Earl of, letter from, 12.
  Edward Russell, 3rd Earl of, 52.
Bedford, county of:
  churches in, 84.
  fugitives from, beyond seas, 84.
  musters in, 81.
Belasyse (Bellasis), John, Lord, 193.
Belfonds [? Bedfont, co. Middlesex], 188.
Bellamy, young. 110.
Bellievre, Mons. de, 127.
Belvoir, co. Rutland, 107.
  letter dated at, 174.
Bence, Alderman John, farmer of the Customs, 178.
Bennett (Benit), one, 152.

Bentlies [?Bronllis], co. Brecknock, castle of, 80.
Bergen-op-Zoom (Bergin-op-Zoon) in Brabant:
letter addressed to, 165.
letter dated at, 167.
Berkeley (Barkley, Bartley):
Henry, Lord, 52.
Sir John, 131.
Sir Robert, Justice of the King's Bench, trial of, 131.
Berkshire, *or* co. Berks, 167:
churches in, 84.
musters in, 81.
royal castles and parks in, 78.
Bernard:
Duke. *See* Weimar, Duke Bernard of.
Sir John, 176.
Robert, letter from, 161.
—— wife of, 161.
Berne, canton of, 85.
Berry (Berrey), Sergeant-major, 149.
Bertie (Bartie):
Peregrin *and* Robert, Lords Willoughby d'Eresby. *See* Willoughby.
Peregrine, younger son of Peregrin, Lord Willoughby, 90.
Berverdon, co. Pembroke, castle of, 80.
Berwick, Duke of, orders of, 199.
made Governor of Portsmouth, 199.
regiment of. *See* Army, Royal regiment of Horse.
Berwick (Barwyke, Barwycke), English forces at, 7, 8.
Bethlem Gabor, Prince of Transylvania and King of Hungary, 99, 100.
Bevill, Beville:
Essex, Lady, widow of Sir Robert, marries Lord Mandeville, 150.
Sir Robert, 150.
Biglia, Comte de, 120.
Bilbao (Bilbo) in Spain, 151.
Binckes, Mr., 34.
Bindon, Thomas Howard, Viscount, 52.
Bingham, Sir Richard, letter from, 19.
Biscayers, vessels seized by, 200.
Bishops, 33.
appointment of, 131.
conference of, with the House of Commons, 44.
demonstrations or proceedings against, 130, 131, 134, 137, 138, 140, 147, 148.
imprisonment of, 139.
protest of, 139.
Blair (Blare), Sir Adam, 201.
Blathwayt (Braithwait), William, secretary at war, 194.
documents signed or certified by, 189 (2), 191, 194 (2), 195 (6).
Bletshoe (Bletesoe), Lord St. John of, *See* St. John.
Blofeld, ——, 26.
Bloomer, Mrs., 187.
Blount (Blunt), Earl of Devonshire. *See* Devonshire.
Bodensee, the 120, 123.
Bodsom, near Newmarket, 183.
Bohemia, 99, 100.
King of, 165, *and see* Palatine, Frederic, Elector.
Queen of. *See* Elizabeth.
Bohemians, 98.
Bois de Vincennes, 126.
Bolebec (Bulbecke), Viscount. *See* Oxford, Earl of.
Bolton, Charles Paulet, Duke of, letter from, 202.
Bonn (Bonne), siege and capture of, 19.
Bossu, Countess of, 136.
Bostord, John, 84.
Both Kingdoms, Committee of, *or* Derby House Committee, 163.
Boughton (Bowghton, Bowton, Bouton), co. Northampton, 28, 84, 95, 161 (2), 167, 171.
enclosures at, 85.
goods sequestered at, 161.
letters dated at, or addressed to, *passim*.
Bouillon (Billion), Duc de, 142.
Bourbon (Burbon), Mademoiselle de, 142.
Bourchier (Burcher), Earl of Bath. *See* Bath.
Bower, John, late Abbot of Leicester, 83.
Bowes, Mr., 184.
Bowker, Mr. and his wife, 196.
Bowland, co. Lancaster, bow-bearer of the forest of, 181.
Boyle, Michael, Archbishop of Armagh, Lord Chancellor of Ireland, 187.
Boyne, Gustavus Hamilton, Lord, 202.
Boynton (Bointon), Sir Matthew, second son of, 163.
Brabant, 17, 188.
Brackley (Brakeley), co. Northampton, 11.
Bradshaw, John, speech of, 164.
Bramsell, 89.
Bramston:
Sir John, Lord Chief Justice of the King's Bench, 152.
——, son of, 152.
Sir John, 182.
Brandenburg, Brandenbourg:
Elector of, 91, 136, 142, 154.
—— army of, 118, 119.
ladies, the, 143.
[Mark or] country of, 172.
—— distress and cruelties in, 124, 125.
Brandenburgers, the, 126.
Braye, Mr., 7.
Brazil (Brazilia), 120.
Brecknock, county of:
castles in, 80.
musters in, 82.
Breda, Count, 123.
Breda, in Brabant, 172.
Brederode, Count, 119.
Bremen, 125, 142.
Bishop and magistrates of, 120.
church of, 120, 125.
Brentford (Brainford), co. Middlesex, 172, 191.

Brest, 201.
Brett, Sir Edward, major in the Royal regiment of horse, 171.
letters to, 171 (2).
Breyonberg, H., letter from, 172.
Brézé (Breze), Marquis de. Marshal, and Viceroy of Catalonia, 142.
Bridges:
Grey, Lord Chandos. *See* Chandos.
Mr., 187.
Bridgnorth, co. Salop, castle of, 76.
Bridgwater (Bregewater), Earl of [John Egerton], 114.
Bridgwater, co. Somerset, castle of, 77.
Brigers, Mr., 46.
Brigstock, co. Northampton, 22, 105.
Court, 26.
parks, 23, 30.
——, keeper of, 23.
Brisach, Brisac, (Brisar), 119-122, 125, 127.
siege and relief of, 118-120.
Bristol:
John Digby, 1st Earl of, 138 (2), 144.
George Digby (*q.v.*), 2nd Earl of, his son, 166.
Bristol (Bristowe), co. Gloucester, 195 (2), 201.
castle of, 77.
churches in, 84.
musters at, 81.
Bromley:
Henry, verderer of Rockingham Forest, 18.
[Thomas], 4.
Brook, Brooke:
Henry, Lord Cobham. *See* Cobham.
Robert Greville, Lord, imprisonment of, 125.
Sir Thomas, 95, 111.
Browne, Brown:
[Anthony], Viscount Montagu. *See* Montagu.
George, 202.
John, 82.
Brownists, 141.
Brownrigg (Broomericke), Ralph, made Bishop [of Exeter], 131.
Brudenell:
John, 25.
——, nephew of. *See* Cardigan, Earl of.
Sir Thomas, 25 *note*.
Sir Thomas, letter from, 107.
Brunswick (Brunswig):
Swedish army in, 136.
treaties, 160.
Brussels, letter dated at, 183.
Brycknell, Sir Edmund, 12.
Buchrag, 103.
Buckhurst, Thomas Sackville, Lord, 53. *And see* Dorset, Earl of.
council letters signed by, 22, 24, 25, 30.
Buckingham:
George Villiers, Earl and 1st Duke of, 93 (2).
George Villiers, 2nd Duke of, 161.
Buckingham, 2nd Duke of—*cont.*
—— as chancellor of Cambridge University, 179.
Katherine, Duchess of, 113, 147.
——, second husband of. *See* Antrim, Earl of.
Buckingham, county of, 6.
churches in, 84.
election in, 43.
musters in, 81.
sheriff of, 43, 159.
Buckingham, town of, 34.
Bucquoi (Buckquoy), Count, Spanish general, 99.
Budweis (Bedwis), 99, 104.
Burgh (Borroughes, Burrowe):
Robert, Lord, 53.
Thomas, Lord, letter from, 19.
Burghersh (Burhershe), Mildmay Fane, Lord, 110.
Burghley (Burley):
William Cecil, 1st Lord, 20 *note*.
——, council letters signed by, 11, 24, 25.
——, death of, 27 *note*.
Thomas Cecil, 2nd Lord, 53, *and see* Exeter, Earl of.
——, letters of, 27, 41.
Burghley, co. Rutland, letters dated at, 50, 109.
Burgrave, Mr., secretary to the Earl of Leicester, 20.
Burgundy, 123.
Duke of, 98.
troops of (Burgonians), 98.
Burlamachi (Burlemack), Philip, 131.
Burley [? Barkley] Lodge, co. Stafford, 76.
co. Hants, baillie of, 77.
Burneston, Mr., 187.
Burnt Island (Burned island), Scotland, 8.
Burrels, "the two," villages near Newmarket, 183.
Burton:
Mr., 194.
Bury St. Edmunds (St. Edmond Burie), royal house and gaol at, 73.
Busby, Dr., Head Master of Westminster School, 163, 164.
Busgrave, James, 84.
Butler, Captain, 7.
Bynns:
Cornet John, 173.
Major Richard, letters from, 180, 182.
Byron, Sir John, made Lieutenant of the Tower, 137.

C

Cabala, letter printed in, 104.
Caen, 126.
Cæsar, Sir Julius, 90.

Caldecot (Calcut), co. Northampton, 92.
Caldecott, R., letter from, 165.
Calvin, notes of, 125.
Camber, castle of, Sussex, 68.
Cambrai (Cambray), 120.
Cambresis. *See* Cateau Cambresis.
Cambridge, 161.
letters dated at, 165, 178, 179.
musters at, 80.
Cambridge, county of, 21, 73.
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 80.
Cambridge University:
Chancellors of. *See* Albemarle, Monmouth *and* Buckingham, Dukes of.
Vice-Chancellor of. *See* Coga, Dr. Nathaniel; Peachell, Dr. John.
Vice-Chancellor and Senate of, letter from, 178.
——, letter to, 179.
——, refusal of, to admit Father Francis to a degree, 198.
Senate of, 178, 179.
Public Orator of, 179.
esquire beadles of, 168.
Clare Hall, letter dated at, 180.
St. Mary Magdalen College:
—— letter dated at, 198.
—— Master of. *See* Peachell, Dr. John.
Sidney Sussex College, 165, *note*.
——, foundress of, 18, *note*.
Camphere or Trevere, in Zeeland, 14.
captains of, 13, 15.
—— letter from, 13.
letter dated at, 13.
sergeant-major of, 15.
Canford, co. Dorset, manor of, 77.
Cannon, Lieut.-Colonel, 185.
Canterbury, Archbishops of. *See*.
Abbot, George.
Whitgift, John.
Laud, William.
Sheldon, Gilbert.
Canterbury, 88, 169-171, 173.
letter addressed to, 171.
High Street in, 171.
Capeley or Copley, Thomas, 83.
Capell (Caple):
"brother," 28.
Captain, 7.
Cardigan, Thomas Brudenell, Earl of, 25 *note*.
Cardigan, castle of, 80.
Cardigan, county of, 80.
musters in, 82.
Cardinal Infant [Ferdinand], 118, 142.
Cardinals, making of, 142.
Carew:
George, Lord, 53.
Sir George, letter from, 85.
Thomas, letter from, 174.
Carey (Carie):
Sir George, 23, *and see* Hunsdon, George, Lord.
—— father of. *See* Hunsdon, Henry, Lord.
Carey, Mr., 19.
Carignan, Prince Thomas of, 118-120, 122, 136.
wife and children of, 126.
Carlisle, James Hay, Earl of, 128.
Carlisle (Carlyell), Thomas, 7.
Carlisle, Bishop of [Henry Robinson], 33.
[? diocese] churches in, 84.
Governor of, 137.
Carmarthen, county of:
castle in, 79.
musters in, 82.
Carnarvon, castle of, 80.
Carpender, Francis, letter from, 175.
Carteret (Carterett):
A. de, 176.
Charles de, 176.
Lieutenant Sir Edward, 173.
Sir George, Vice-treasurer for Ireland, 192.
Cartwright, Commissary Francis, letter from, 175.
Carvell, William, 11.
Cary (Caru):
Sir Lucius, 111, *and see* Falkland, Lord.
Casimir (Cashimere), Prince or Duke of Poland, 19, 119, 126.
Cassel, letter dated at, 162.
Castle Rising, co. Norfolk, castle and chase of, 73.
Castor, co. Northampton, letter dated at, 168.
Catalonia, 136.
Vice-roy in, 142.
Cateau Cambresis (Catteau Cambrosy), Spanish defeat at, 122.
Catesby (Catsby), Clifton, 157.
Catherine, Queen of Charles II., 176.
as Queen dowager, 195, 196, 199.
Cave, Sir Thomas, 156.
Cavendish (Candish):
Lady Ann, 113.
Lady, 187.
William, Lord, aft. Earl of Devonshire, 53.
Cayworth, Jo., letter to, 111.
Cecil (Cecill):
Edward, 156.
Richard, 49 (3).
Sir Richard, 95.
Sir Robert:
—— Council letters signed by, 24, 25, 30.
—— as Lord Cecil, 43, 44 *note*; *and see* Salisbury, Earl of.
Sir Thomas, 106, *and see* Burghley, 2nd Lord, *and* Exeter, Earl of.
——, letter from, 27.
——, wife of, 27.
Chaderton [Lawrence], 34.
Chamberlayne, Richard, 157.
Champagne (Champaigne), 142, 154.
Chancery:
Hanaper in, officers of, 56.
injunction in, 50.
officers of, 56.
suits in, 105.
Chandos (Shandois), Grey Brydges, Lord, 53.

Channel, the East, 109.
Chantilly (Chantille), 125.
Chapel Royal, Dean of. *See* Montagu, James.
Chapell, Gyles, clerk, 83.
Chapman, William, 190.
letters from, 183-185.
letter to, 184.
Charleroy, "the affair of," 183.
Charles I., 113, 115, 118, 128, 130, 135, 138, 144, 147-154, 164, 177.
and his Council, order of, 112
army of, *See under* Army.
Bishops made by, 131.
contributions for, 121, 157, 158.
counsel of, 134.
courtiers of, 151.
"evil counsellors" of, 132, 137, 152-155.
forces going against. *See* Army, of the Parliament,
grants by, 111, 113.
—— alluded to, 144.
guard of, 140.
household of:
Lord Steward. *See* Pembroke, William, Earl of.
Lord Chamberlain. *See* Montgomery, Philip, Earl of, *and* Essex, Robert, Earl of.
Master of the Horse. *See* Holland, Earl of.
Privy Chamber, gentlemen of, 117.
letters, orders, or warrants from, 121, 124, 127, 155, 158.
—— alluded to, 132, 133, 144, 153.
—— or answers of, to Parliament, 145-153.
party of, or royalist party, 148, 152.
—— transference of their estates by, 160.
petitions to, 121, 127, 148.
—— resolved on, 132, 141.
speeches of, 128, 135, 148.
wife of. *See* Henrietta Maria, Queen.
children of, 138. *And see* Charles *and* James, Princes.
as Prince Charles, visit of, to Spain and return to England, 104, 105.
coronation of, summons to attend, 111.
going against the Scots, 124, 125, 127.
treaty of, with the Scots, 129.
and the struggle with parliament, 129-163.
calls the deputation from London rascals, 129.
and Ireland, 134, 135, 148-150.
warning given to, by the Earl of Essex, 135.
answer of, to the Remonstrance, 136.
attempted arrest of the five members by, 140, 141.
and the Queen, 147, 150.
declares Parliament to be the malignant party, 151.
summons the gentry to York, 152.
Charles I.—*cont.*
determines to erect his standard royal at Nottingham, 158.
treaty with, at Newport, 163.
condemnation of, Bradshaw's speech at, 164.
Charles, Prince, (the Prince) afterwards Charles II., 163.
with the Queen, 132, 133.
is to return to Lord Hertford, 132, 149.
gentleman of the Green Cloth to, 135.
as King Charles II., 168, 170, 176-179, 184
—, letters or orders of, 169-172, 182, 185, 188, 189.
—, ——, alluded to, 169, 177.
—, letters to, alluded to, 182.
—, in Council, 179, 188.
—, complaints to, 183, 184.
—, court of, 170, 179, 184, 187.
—, guards for, 165.
—, loyalty to, 178.
—, opposition to, 180, 181.
—, regiment and troop of. *See* Army.
—, restoration of, alluded to, 177, 183, 184.
—, revenue of, proposals to farm, 181, 187.
—, visits his navy, 166.
—, last illness of, 189.
—, natural sons of. *See* Monmouth, Grafton. *and* Northumberland, Dukes of.
—, master cook of, 177.
—, tailor of, 184.
—, Vice-Chamberlain of. *See* Saville, Henry.
Charles, Duke of Lorraine. *See* Lorraine.
Charnock (Sharnock), Hugh, 83.
Chastelherault (Shatyllarye), Duke of [the Earl of Arran], 8.
Chastillon, General, and his army, 118, 119, 126, 142.
Chauntry or Chaunce, Robert, clerk, 83.
Chavigny, Monsieur de, 121.
Cheeke, Sir Thomas, 150.
daughter of. *See* Bevill, Lady.
Chelmsford, co. Essex, 169, 182.
Chelsea (Chelsey):
duel fought near, 185.
letter dated at, 104.
Royal Hospital at, 191.
Cheney, Thomas, Lord, 53.
Chepstow, Lord Herbert of. *See* Herbert.
Chequer, letter dated from, 171.
Chester, 147, 201.
castle of, 76.
letter dated at, 146.
musters at, 81.
port of, 25.
is full of Irish and soldiers, 146.
Chester, county Palatine of:
castle in, 76.
churches in, 84.
musters in, 81.
offices and fees in, 57.
papists, protestants and puritans in, 153.

Chesterton, near Cambridge, 161.
Chetham. *See* Chittam.
Chettwoode, Sir Richard, 50.
Cheveley, co. Cambridge, 183.
Chiche, Lord Darcy of. *See* Darcy.
Chichester:
Bishop of [Andrew Watson], 33, *and see* King, Henry.
Dean of. *See* Barlow, William.
Chippenham:
(Chipnam) co Cambridge, 183.
co. Wilts. 195.
Chittam *or* Chetham, Captain, of the Queen's troop of Life Guards, 183.
Cholcis. 123.
Chrysostom, Saint, writings of, alluded to, 39.
Church, the:
ceremonies of, objected to, 32-40, 144.
——, proclamation for the observance of, 135.
fathers of, 35-40.
the old services of, affection for, 37.
Church:
business, troubles about, 117.
government, 141.
of England:
——, loyalty to, 192, 193.
——, outcry against, 174.
——, proceedings in Parliament against, 130.
Chuseman, T., letter from, 171.
Cinque (Sincke) Ports, Lord Warden of, 68.
Clare, John Holles, Earl of, 153, 155.
Clarges, Sir Thomas, 199.
Clarke, Sir Simon, Bart., 157.
Clatton [? Claxton], co. Essex, park of, 72.
Clement:
John, 82.
Margaret, 82.
Thomas, 82.
——; 28.
Cleren, Piccolomini in, 123.
Clergy, license for preaching given to, 192.
Cleves *or* Cleveland, 136, 142
Spinola in, 90, 91.
Clewbury Mortimer, co. Salop, park of, 76.
Clifford:
Francis, Earl of Cumberland. *See* Cumberland.
Richard and his wife, 22.
Thomas, Lord, 170.
Clifton (Cliffone):
Sir Gervase and his son, 114.
Sir Jarvys, 7.
Clinton (Clynton):
Edward, Lord, High Admiral, signature of, 11.
See also Lincoln, Earl of.
Clopton, co. Northampton, resident at, 2.
Clotworthy, Sir John, servant of, 133.
Clutterbuck (Clotterboocke), 164.
Cobham:
Henry Brooke, Lord, 52.
Cobham—*cont.*
Sir Henry, 27.
Richard Temple, Viscount, letter from, 202.
William Brooke, Lord, Council letters signed by, 22, 24, 25.
Coblentz (Coblenns), 102.
Cockburn, Mr., 203.
Cocking *or* Cockayne, Charles, 121, 156.
Coga, Dr. Nathaniel, Vice-Chancellor of Cambridge University, 180.
letter from, 179.
Coke (Cooke):
Sir Edward, as Attorney General, 45.
——, as late Lord Chief Justice of the King's Bench, 93.
——, 2nd wife of [Lady Hatton], 93 *note*.
Frances, his daughter, married to Sir John Villiers, 93.
Sir John, Secretary of State:
——, letter to, 122.
——, signature of, 124.
——, son of, 115.
Colchester, co. Essex, 163, 189.
letter dated at, 188.
musters at, 81.
St. Mary's parish in, 188.
Coles' Close, co. Northampton, 25.
Colleges, "rotten heads of," 151.
Collins, John, papers by, 177, 178.
Cologne (Cullen, Collen), 126.
Bishopric of, 160.
land of, 136,
Colure, Spanish army at, 136.
Commissaries' Courts, 41, 44.
Common Law, suits at, 49.
Common Pleas:
Court of, officers in, 56.
Lord Chief Justice of. *See* Montagu, Sir Edward (1); Banks, Sir John.
——, fees of, 56.
Common Prayer, book of, 35, 39.
proclamation for the observing of, 135.
"refining" of, 144.
Commons, House of, *or* the Lower House; (*temp.* James I.) 41-45.
——, Speaker of, 41, *and see* Philips, Sir Edward.
(in the Long Parliament):
——, bills in or acts of, 130, 134, 145, 147.
——, Committees of, 131, 147, 148.
——, members of, chidden or expelled, 147, 151.
——, ——, committed to Black Rod, 135.
——, ——, dying of the plague, 132.
—— —— sent to the King. *See* Charles I., commissioners to.
——, ——, the five, impeachment and intended arrest of, 140, 141.
——, messages to, from the King, 150, 151.
——, ——, from the French King, 152,
——, petitions presented to, 145, 148.
——, proceedings in, 131-153.
Commons' Journals, paper printed in, 41.

Commonwealth, the (the late Usurpation), 177.
Compton:
Lieut.-Colonel Sir Francis, letter from, 197.
Henry, Bishop of London, 191.
—— letter from, 199.
William, Lord, afterwards Earl of Northampton, 53.
Condé (Cond, Conde), Prince de, 120, 121, 123, 126, 142.
Coningsby (Connisby), Quarter-master Thomas, 196.
Constance, sea of, 120.
Constantine, the Emperor, banner of, 40.
Constantine, Mr., 167.
Conventicle Act. *See* Parliament, Acts of.
Conventicles, 188, 189.
Convocation, 44, 45, 132.
Conway (Conwaye):
Captain, 7.
Edward, 1st Lord, President of the Council, 113.
Edward, Earl of, 179.
Conway (Conwaie, Conwey);
constable of, 80.
dissolved monastery of, 20.
Conyers, Sir John, 134.
to be Lieutenant of the Tower, 147.
Cooke, Sir John. *See* Coke.
Copleston, John, letters from, 192 (2).
Corbutt, Sir Andrew, 7.
Cork, Richard Boyle, Earl of, as one of the Lords Justices of Ireland, 112.
Corn, price of, 97, 108, 113, 146.
Cornbury, co. Oxford, 184.
Cornish, Henry, reversal of the attainder of, 201.
Cornwall (Cornubia), 26.
castles and forts in, 70.
churches in, 84.
Duchy of, 78 *note*.
—— haven of, 78
musters in, 80.
royal castles and parks in, 78.
Cornwallis, Sir Charles, 87.
Cosen, Edmond, 84.
Coster, Pieter le, Sergeant-Major at Camphere, 15.
signature of, 13.
Cottington, Francis, Lord, letter from, 164.
signature of, 124.
Council, the great, at York, 127, 128.
—, letter from, 127.
the Privy. *See* Privy Council.
Board, the, 95, 111.
Chamber, 43.
Court, the, 18, 28, 193.
letters dated at, 9, 17, 26, 48, *and see* Greenwich *and* Whitehall.
Courtney, Sir William, letter to, 168.
Coventry, Thomas, Lord, signature of, 124.
Coventry, co. Warwick, 159.
Cowe *or* Kent, Robert, clerk, 83.
Cranbourne, William Cecil, Viscount, 85.
Cranfield, Lionel, Lord (afterwards Earl of Middlesex, *q.v.*), letter from, 104.
Craven, William, Lord, 112, 113, 164.
prisoner in Germany, 121, 123, 124.
pass by, "in the plague time," 167.
as Colonel of the Coldstream Guards, 172.
house of, 197.
Crembs (Cremes) on the frontiers of Bohemia, 99, 127.
Crew, John, 157.
Crockford, Edward, clerk, 83.
Crofts, Sir James, 8.
Cromwell:
Sir Henry, 22.
Oliver (Old Noll), soldiers of, 166.
Thomas, Lord, 53.
——, statement by, 106.
Croume, Mr., 23.
Crowder, John, trumpeter, 168.
Crown, the:
succession to, 4.
clerk of, 43.
Croydon, Surrey, 169, 194, 197.
Cucer, Mr., 26.
Culpepper, Sir John, 150, 157.
made Chancellor of the Exchequer, 140.
Cumberland, Francis Clifford, Earl of, 52.
Cumberland, county of, musters in, 81.
Cunningham, Captain, 185.
Cunstable, John, 7.
Customs:
commissioners of, 130.
farmers of or customers, 130, 178.
Cyprian, Saint, quotations from the writings of, 38, 39.

D

Dacre:
Christopher, 7.
of the South, Margaret Fiennes, Baroness, 52.
Dalba, Count, death of, 199.
Dalbeare, Colonel John, 161.
Dampierre (Dumpiers), General, 97 *note*, 99.
Danby, Thomas Osborne, Earl of, 179.
Danes, the, 172.
Daniell, Danyell:
Commissary, 8.
Sir Thomas, 170.
—, letter from, 170.
Dantzic (Dantzigh), 118.
Dantzickers (Dantzikers), 121.
Danube *or* Donau, the river, 99, 118, 121, 185.
Danvers, Henry, Lord, 53.

Darcy (Darcie):
John, Lord, of Nevell, 53.
Thomas, Lord, of Chiche, 53.
Mr. 191.
Darley, Henry, 128.
Dartford, Kent, 173.
Dartmouth, George Legge, Lord, 193.
Davys, Sir William, Lord Chief Justice of the King's Bench in Ireland, 187.
Deal, 171.
castle of, 68.
Deane, Jos., proposal by, 181.
Deene (Deen),, co. Northampton, 25.
letters dated at, 25, 107.
Deering *or* Dearing, Sir Edward, 148, 151.
Delamere, Henry Booth, Lord, trial of, 191.
De la Pré, 98.
Delavalette. *See* Lavalette.
Delavalett, business of, 121.
De la Warr *or* Delaware, Thomas West, Lord, 52.
Denbigh (Denbie):
Basil Fielding, Earl of, letter from, 170.
Baron of. *See* Leicester, Earl of.
Denbigh (Denbie) county of, musters in, 82.
Denham, —, 181.
Denies [? Dinas], co. Brecknock, castle of, 80.
Denmark, 123.
King of, 121, 123, 125, 136, 142, 159, 201.
—— ambassador from, 87, 201.
—— forces of, 136.
—— levies for, 87.
Princess Anne of. *See* Anne.
Denne, Mr., 7.
Denny, Denney:
Edward, Lord, 53.
William, 202.
Deptford (Dettford) Strand, storehouse and clerk at, 58.
Derby, William Stanley, Earl of, Lord of Man and Strange, 52.
Derby (Darbie), 117.
the Court at, letter dated from, 158.
Derby (Darbie), county of:
churches in, 84.
forests in, 76.
fugitives from, beyond seas, 83.
musters in, 80.
Desborow, Charles, 107.
De Veil, Sir Thomas, letter from, 202.
Deventer, Gerard de Prouincq de, letter from, 16.
Devereux (Devorux, Deveroxe):
Robert, Earl of Essex. *See* Essex.
Sir Walter and his son, 115.
Devonshire, Charles Blount, Earl of, Lord Mountjoy, 52, 53.
Devonshire, 145, 180.
castle in, 77.
churches in, 84.
musters in, 80.
Digby:
George, Lord Digby, 130 (2), 137, 138, 144, 145.
(son of Sir Kenelm), slain at St. Neots, 161.
Dijon, 126.
Dillingham, John:
letters from, 132, 138, 139, 143, 147, 148, 150, 151, 153, 163, 166.
news letters sent by, 120, 125.
letter to, 146.
son of, 166.
kindred and servant of, 166, 167.
Ditton:
or Ditton Park, co. Bucks, 186.
—— letters dated at, 159, 161, 162(3), 186.
co. Cambridge, 183.
Dixie (Dixe), Sir Wolstan, 93.
Dixon, —, 113.
Dod, Mr., 34.
Dode, John, 84.
Donatists, the, 36.
Donau. *See* Danube.
Donauwerth (Donawerd), 119.
Dorset:
Edward Sackville, Earl of, signature of, 124.
Thomas Sackville, Lord Buckhurst, Earl of, Lord Treasurer, 49, 52.
—— reference to, 50.
Dorset, county of:
castles and forts in, 70.
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 81.
royal castles, manors, &c., in, 77.
Dosthorpe (? Dogsthorpe), co. Northants
letters dated at, 22, 31.
Douglas, Sir Archibald, 128.
Douglas, in Scotland, 8.
Dove, Thomas, 156.
Dover, Lord. *See* Jermyn.
Dover (Dower), 170 (2).
castle and bulwarks at, 68.
pier at, 68.
Downhall, William, 156.
Downs, the, 68, 163, 171.
Drake, Sir Francis, voyage of, 17.
Drayton, co. Northampton, 26.
Drogheda (Treda):
Governor of. *See* Tichbourne, Sir Henry.
provisions for, 146.
rebels slain at, 145, 146.
Drummond (Dromond), Major-general, 193.
Drury (Druery):
Captain, 7.
Henry, 83.
Dublin, 140, 146, 200.
Bishop of, 112.
castle, 140.
—— letter dated at, 187.
—— the Chequer Chamber in, 187.
Christ Church, "popish college of," 112.
farmers of Excise at, 177.
governors of, 133.
letter dated at, 19.
Marshalsea (Marshalseyes) prison in, 112.
Mayor and Aldermen of, 112.
uproar in, 112.

Duck, Dr. Arthur, visitation of, 129.
Dudley:
Agnes (daughter of William), 2.
Edward Sutton, Lord, 52.
William, 2.
or Dudley Sutton, Ambrose. *See* Warwick, Earl of.
—— ——, Robert. *See* Leicester, Earl of.
Duffield Frith (Duffeild Freth), co. Derby, forest of, 76.
Dullingham, co. Cambridge, 183.
Dumbarton, George Douglas, Earl of, 176.
regiment of, 192, 193.
Duncombe, Sir John, 170.
Dunford, letter dated at, 202.
Dunkirk, 118.
governor of. *See* Lockhart, Sir William.
ships of (Dunkirkers), 21, 136, 151.
Dunluce, co. Antrim, castle of, 155.
Dunsmore, Sir Francis Leigh, Lord, 157.
Dunstanburgh (Dunstoneburch), co. Northumberland, castle of, 79.
Durandus, writings of, alluded to, 35.
Durham, Bishop of:
[Tobias, Matthew], 33.
[Lord Crew] made a Privy Councillor 191.
Durham, county Palatine of (the Bishopric), 128.
churches in, 84.
musters in, 82.
Düsseldorf (Dusseldorpe), assembly at, 127.
Dutch *or* the Dutch (Hollanders), 16, 172, 200.
ambassador, expected, 166.
commanders, 201.
commissioners, 192.
fleet *or* ships, 109, 112, 136, 168, 200, 201.
in Brazil, 120.
merchants, 107.
news, 166.
successes of, 142, 143.
troops, 101, 102, 154.
vice-admiral. *See* Almond.
war with, preparations, for, 166.
Du Terrail, execution of, 85.
Dyer (Dier), Sir Richard, 31.
Dyke, Mr., 34.
Dynes, Capt. John, description of the Lewis by, 114.
Dyxon:
Elizabeth, letter from, 2.
—— husband of. *See* Dyxon, Richard.
—— former husband of, 3.
—— children of, 2.
Richard, 2, 3.

E

East India:
company, 192.
merchants, 107.
East Indies, Portuguese possessions in, 154.
Eaten, Major, 193.
Edes, Richard, Dean of Worcester, 33.
Edinburgh (Edenburg), 9, 133, 140.
castle of:
—— Governor of. *See* Erskine, Lord.
—— prisoners in, 140.
letters dated at, 178.
Edmonds, Charles, 156.
Edmonton, troops at, 194.
Edmund, one, and his wife, 17.
Edward VI., 3, 4, 20.
—— attempt of, to upset the Act of Succession, 4-6.
—— grant by, 5.
Effingham, Lord Howard of. *See* Howard.
Egerton:
Mr., 34.
Sir Thomas, Lord Keeper, 25, *and see* Ellesmere.
—— letter from, 25.
—— council letters signed by, 30.
Captain William, Lieutenant of the King's troop of Guards, 182 *and note*.
Eglys Vaughe, 20.
Egyptian priesthood, 35
Elbe, the river, troops on, or crossing, 118, 119, 125.
Elboeuf, Duc de, secretary of, 123.
Elizabeth, Princess and Queen, 4, 9, 10, 11, 18, 27, 107.
assessments (seasing) for, 25, 26.
grants by, 23.
lands or possessions of, 3, 12, 23.
letters of, alluded to, 30 *note*.
letter to, alluded to, 13.
orders a general muster, 19.
orders or wishes of, alluded to, 9, 11, 30.
relations of, with Holland, 13-17.
requests to, 20.
household of, list of, alluded to, 51-79 *notes*.
Lord High Steward of. *See* Leicester, Earl of.
Vice-Chamberlain of. *See* Heneage, Sir Thomas.
woodward of, 12.
Elizabeth, Princess, daughter of James I., Electress Palatine, 88 (2), 91.
as Queen of Bohemia, gentleman usher to, 168.

Ellesmere (Elmsmere), Sir Thomas Egerton, Lord, Lord Chancellor, 41, 49, 53, 55.
reference to, 50.
illness and death of, 93.
was to have been created Earl of Cambridge, 93.
son of, 93.
Ellis's *Original Letters*, documents printed in, 191 (2).
Elmes, Thomas, 156.
Elsivier, Mr., 180.
Elves, William, 122.
Ely, Bishop of. *See* Goodrich, Thomas.
Ely (Elie), Isle of, musters in, 80.
Embden, Earl of, son of, 136.
Emperor, the:
[Matthias], 91, 99.
[Ferdinand II.], 98-100, 103.
—— ambassador to. *See* Wotton, Sir Henry.
—— court of. *See* Imperial Court.
—— forces of, 98, 104,
—— generals of, 98, 99, *and see* Spinola, Marquis de.
—— edict of, against protestants, 100,
[Ferdinand III.], 119-121, 123, 125, 126, 154.
—— forces of, 119, 123, 124, 127, 136, 142, 143.
—— generals of, 121, 127. *And see* Gallas, Gronseld, Hatzfeld, Lamboy.
—— treaties of, 123, 153.
[Leopold] and his army, 185, 186.
Empire, the:
ban of, 125.
invasion of, by the Turks. *See* Turks.
princes of, 127.
Enchuysen, in Holland, 16.
Enclosures, 85.
commission concerning, 84 *note*.
England, union of with Scotland. *See* Scotland.
nobility of, degrees and precedence of, 51.
—— list of, 51-53.
north of, news from, 152.
realm of, list of officers and fees in, 51-80.
west of, progress of the King into, 194 *note*, 195.
Enniskillen (Inniskellin), 200.
Enyan, Sir James, 156.
Epernon, Espernon:
business of, 121.
the old Duke of, 142.
Epping, co. Essex, 189.
Erburie, Mr., 34.
Eresby, Baron de. *See* Willoughby.
Erfurt (Erford), 123.
Burgomaster, recorder and governor of, 136.
Erlach, Monsieur de, 127, 142.
Erskine (Askyne), Lord, governor of Edinburgh Castle, 9.
Esdiguieres, Monsieur de, 85.
Esmond, Sir Laurence, 187.
Essex, Robert Devereux, 2nd Earl of, signature of, 25.
Robert Devereux, 3rd Earl of, Viscount Hereford, 52, 132, 153.
——, separation of, from his wife, 89.
——, with the forces in Germany, 102.
——, statement by, 106.
——, warning given by, to King Charles, 135.
——, voted General of the Commons' Guard, 138.
——, as Lord Lieutenant of Yorkshire, 144.
——, resigns the office of Lord Chamberlain, 149.
——, motion of, in Parliament, 152.
Essex, county of, 179.
castles and forts in, 68, 69.
churches in, 84.
election in, 191.
fugitives from, beyond seas, 82
insurrection in, 163.
musters in, 81.
royal castles, manors, &c. in, 72.
trained bands and volunteers in, 153.
Estrade, Monsieur de, 127.
Estwick (Estwith), Nicholas, rector of Warkton, 153.
letter from, 160.
wife of, 160.
Eusebius, 40.
Everard, Sir Richard, letter to, 182.
Evre *or* Eure (Ewers), Ralph, Lord, 53.
Ewatt, Baillie, 80.
Exchequer, the, 12, 25.
Chief Baron of, 54, *and see* Montagu, William.
Barons of, 54, 57.
Chancellor of, 54, *and see* Culpepper, Sir John.
King's Remembrancer of, and his office, 54.
Treasurer's Remembrancer, and his office, 54.
other officers of, 54.
Chamber, suit in, 105.
names certified into, 82, 83.
offices of the Pipe and the Pleas in, 54.
Excise, the, 177, 192.
gauger of, 168.
office, 177, 178.
—— Treasurer and other officers of, 177.
Exeter:
Frances, Countess of, daughter of the 8th Earl of Rutland, letter from, 166.
Thomas Cecil, Earl of, and Lord Burghley, Lord Lieutenant of co. Northampton, 49 (2), 52, 89, 92 *note*.
—— letters from, 50, 86, 109, 121.
——, letters to, 86, 87, 90, 121, 124 (2), 125.
—— copy by, 121.
Exeter, 34.
Bishop of. *See* Lamplugh, Thomas.
castle of, 168.
a new charter for, 196.

Exeter—*cont.*
deputy-recorder of, 196.
election at, 174, 175.
gaol at, 192.
letter addressed to, 185.
letters dated at, 180, 196.
Mayor, Recorder, &c. of, 174, 175.
musters in, 81.
Exning, co. Cambridge, 183.
Exton, co. Rutland, 12.

F

Faire Park, co. Essex, 72.
Fairfax (Farfax), William, 7.
Fairwell, Mr., servant of the Duke of Albemarle, letter to, 198.
Falkland, Henry Cary, Lord, Lord Lieutenant of Ireland, 111, 112.
Lucius Cary, Lord, his son, 149.
——, made Privy Councillor and Secretary of State, 140.
Famars, Mons. de, Dutch commander, letter to, 15.
Fane (Fanne), Sir Francis, afterwards Earl of Westmorland (*q.v.*), 104, 106.
letters from, 92, 97.
Farley (Farleigh), co. Hants, letter dated at, 203.
Farmer, Sir John, 11.
Farming (Fermynge) Woods, co. Northampton, 42.
Farr (Far), Lieut.-Colonel, 163.
Faversham or Feversham, Louis Baras, Earl of, Lieut.-General of the forces, 183, 184, 195.
Faversham (Feversham), Kent, letter dated at, 170.
Fehrbellin: (Fehroellim), pass called, 126.
Feilding, Feildyng:
Israell, letter from, 187.
Roger, 157.
Fellwood Forest, co. Gloucester, 77.
Ferents, Monsieur, 123, 124.
Feuquiere (Fuguieres), Marquis de, 121.
Field, Dr., 34.
Fiennes (Fynes):
Earl of Lincoln. *See* Lincoln.
Richard, Lord Saye. *See* Saye.
Margaret, Baroness Dacre. *See* Dacre.
Finch, Heneage, Lord, aft. Earl of Nottingham, Lord Chancellor, 175 *note*, 176.
Finet, William, letter from, 190.
Fireworks, 123.
Fisher:
Mr., 34.
Sir Robert, 157.
Fitton (Fytton), Sir Edward, 7.
Fitzharris, Mrs., 201.
Fitzjames, James, clerk, 83.
Fitzwalter (Fitzwater), Lord. *See* Sussex, Earl of.
Fitz William, Fitzwilliams (Fewylliams, Fewilliams):
Bryan, 7.
John, Captain, 7.
John, mustermaster, 7.
Sir William, 11.
—— letters from, 22, 31.
—— wife of, 22, 23.
Sir William, his son, receipt by, 87.
William, 121.
Flanders, 188, 192.
aid from, for the Irish rebels, 144.
Fleetwood:
Mr., 34.
Sir Myles, 116.
Sir William, 43.
Sir William, 156.
Flint, county of, musters in, 82.
Florence, Duke of, 118.
Florida, 200.
Flower, John, clerk, 83.
Floyd, Godfrey, 168.
Flushing, Vlissingues, (Vlisshing), garrison of, 14, 144.
Governor of. *See* Russell, Sir William.
letters dated at, 13, 15.
Foliott (Folyott), Lord, 147.
Folkestone, Kent, 68.
Fontarabie, in Spain, 120.
Fordham, co. Cambridge, 183.
Fortescue, Sir John, 43, 44.
Council letters signed by, 24, 25, 30.
Fortresses (places of strength) demanded by the Commons, 145, 147.
Fortrey, Captain James, 194.
Foster:
Sir John, 7.
Mr. (nephew to Sir Walter Mildmay), 17.
Rowland, 7.
Fotheringay (Fodringhaie), co. Northampton, castle of, 79.
Fountaine, Mr., 190.
Fowke, Sir Henry, 85.
Fox:
Mr., 191.
Sir Stephen, Paymaster General of the Forces, 171.
Framlingham (Framingham), co. Suffolk, castle and park of, 73.
France, 120, 126, 127, 142, 144, 145, 152.
King of [Louis XIII.], 85, 94, 112, 119, 125-127, 136, 142, 143, 154, 155, 159.
—— message from, 152.
—— sister of. *See* Henrietta Maria.
Queen of [Anne of Austria, wife of Louis XIII.], 119 (2), 142.
Queen mother of [Mary dei Medici], 119, 123.
Dauphin, birth of, 119 *note*, 120, 123.
—— as King Louis XIV., 192, 200, 201.
Chancellor of, 126.
Marshal of, 121.
Masters of Requests in, 126.

France—*cont.*
Ministers of State in, 121.
plot in, 155.
travellers to, 85, 113, 164.
troops of. *See* French army.
Franche Comté (Counte), 122, 126, 142.
Castle of Joux in. *See* Joux.
Francis Albrecht, Duke, 123, 143.
Francis, Father Alban, 198.
Franconia, 121, 126, 127.
Frankfurt am Main (Francford, Franckford), 100, 101, 103, 120, 126.
assembly at, 159.
Frawell, Mr., 34.
Freeman:
Mr., 6.
William, 201.
Freiburg, siege of, raised, 159.
French or the French, 123, 132, 172, 200.
Admiral, 201.
affairs in Italy, 119, 126.
ambassadors, 152, 160, 166.
army or forces, 9, 120, 121, 125, 126, 136, 140, 142, 143, 166.
—— commanders of, 142. *And see* Turenne; Guebrian; Milleroye.
—— defeat of, 154.
cavalry, skirmish with, 136.
church, the, 125.
court, the, 121.
fleet or ships, 193, 201.
general des galères, 142.
language, letters written in, 13-16, 165, 183.
——, secretary of, 57.
parliament, 126, 142.
prisoners in Spain, 120.
Friezland (Frizeland), province of, deputies from, 188.
Frith, —, 179.
Fryer, Leonard, letter from, 20.
wife and children of, 21.
Fuller, Church History of, paper printed in, 6.

G

Gade, Captain, 7.
Gainsborough, Edward Noel, Earl of, 199.
Galen (Gallen), allusion to, 29.
Gallas, Imperial General, and his army, 118, 143.
Galoway, Mr., 34.
Gardiner, Thomas, Recorder of London, 141.
Garradon, —, 155.
Garret. *See* Gerard.
Garter, order of the:
Chancellor of. *See* Ward, Dr. Seth, Bishop of Salisbury.
companions of, installation of, 188.
Garway:
Mr., 161.
Sir Henry, Lord Mayor, 128.
—— letter to, 127.
Gassion, French general, 142.
Gaudy, Francis, Justice of the Queen's Bench, 21.
Geares, Alderman John, 128.
Geddington, co. Northampton, 107, 111.
unlicensed preacher at, 168.
Geneva, 85.
solemn fast at, 103.
Genoa, 120.
port of, 119.
George, Prince of Denmark, 184, 188, 197.
George II., King, 202.
Gerard, Garrett (Jarratt, Jarret):
Alderman and Sheriff of London, 141.
Thomas, Lord, 53.
—— made President of Wales, 93.
Sir Thomas, 7.
German troops, 98, 101.
Germany, 97, 104, 120, 125.
armies or forces in, 142, 172.
Catholic league in, 98.
Princes of the Union in, 91, 100-103.
Reiter (Reytors) of, 98.
Gertruydenberg (Gertrudenbergh), in Holland, soldiers of, 19.
Geyt, Philip le, Lieut.-Bailiff in Jersey, certificate by, 176.
Gilbert, Mr., 167.
Gilby, —, 48.
Giles, Lieutenant, 180.
Gills, Robert, 83.
Glamorgan (Clamorgan), county of, musters in, 82.
Glencairne (Glencarne), Alexander Cunningham, Earl of, son of, 9.
Glengarry, Laird of, 178.
Gloucester, county of:
churches in, 84.
musters in, 82.
royal castle and forest in, 77.
Glyde, William, J.P., 174, 175.
Godolphin:
Francis, 2nd Earl of, letter from, 202.
Sidney, made Secretary of State, 188.
Goetz (Gots):
General, and his army, 118, 119(2).
Peter, 119.
Golden Straits, the, 99, 104.
Goldsmith, Mr., 34.
Good, William, schoolmaster, 83.
Goodrest (Grodrest), co. Warwick, manor of, 75.
Goodrich, Thomas, Bishop of Ely and Lord Chancellor, letter from, 3.
Goodwin, Goodwyn:
Charles, waggon-master, 168.
—— certificate by, 169.
Sir Francis, election of, 43, 44.
Goslin, Mr., of Paternoster Row, 98.
Gosnold, Mr., 4.
Gourdon, Monsieur, 34.
Gower, Thomas, Master of the Ordnance, 8.
Grafton, Henry Fitzroy, Duke of, son of Charles II., 192.
Grafton, co. Northampton, royal house and park at, 79.
Underwood, co. Northampton, 94.
—— constable of, 94, 95.

Grange, Lord of, 9.
Gravelines (Graveling, Gravelingen), 118, 121.
Gravesend, fortifying of, 168.
Gray, *See* Grey.
Great Britain, objection to the name or style of, 41.
Great Seal, the, 98.
  Lord Keeper of. *See* Lord Keeper.
  grants or warrants under, 5, 113, 134.
Green Cloth, the officers of, 86, 135.
Greene, one, 93.
Greenwich (Grenwiche), Kent:
  The King or Court at, 96.
  letters dated from, 21, 22 (2).
  Armoury in the Great Gallery at, 59.
  manor and park at, 73.
  wardrobe at, keeper of, 73.
Greville, Sir Fulke, letter from, 17.
Grey, Gray (Graye, Graie):
  Anchitel, uncle of the 2nd Earl of Stamford, 172, 173.
  Arthur, 7.
  Ford, Lord Grey of Wark, 184, 185.
  Henry, Earl of Kent. *See* Kent.
  Henry, Lord Grey of Groby, 53.
  Sir James, 202.
  Sir Ralph, 7.
  Thomas, Lord Grey of Wilton, 52.
  William, Lord Grey of Wilton, 7, 8.
  Dr., 201.
Griffin, Lieut.-Colonel Edward, 180.
  ——, letter from, 189.
  Sir Edward, 156.
  John, 82.
Griffithe, Griffith:
  Sir Henry, 115.
  ——, wife of, 115.
  Col. J., letter from, 165.
Grime, Mr., 184.
Grimsthorpe, co. Lincoln, letter dated at, 159.
Grisons, the, 118, 119, 122, 123.
Groningen, 120.
  province of, deputies of, 188.
Gronsfeld (Gronsfield), Imperial General, 143.
Grosinatt (Grosint), co. Monmouth, woods of, 79.
Guebrian, Comte de, French Lieut.-General in Germany, and his forces, 142, 143, 154.
Guercom (Gwercom), in Holland, 14.
Guernsey (Garnsaic), island of, 175.
  captain of, 71.
Guiche, General (French), 142.
Guienne (Guyenne), government of, 120.
Guildford (Gilford), Surrey, 105, 168.
  letter addressed to, 169.
Guise:
  Henry, Duke of, (1588), 19.
  Duke of (1641), 136.
Gunpowder or the Powder Plot, act of thanksgiving for the discovery of, 49.
Gurgame, Mr., 34.

H

Hack, Mr., 23.
Hackwood, co. Hants, letter dated at, 202.
Haddon [Hall], Derbyshire, 117.
Hadington, in Scotland, 8.
Hadnock, co. Monmouth, forest of, 79.
Hague (Haghe), the, 85, 86, 88, 123, 125, 165.
  great meeting at, 160.
  letters dated at, 14, 15, 164.
  Prince Rupert at, 136.
Haidocke, Evan, 83.
Halberstadt, 123, 143.
Hales, Major, letter to, 180.
Halifax, George Savile, Earl of, 175.
Hall (Hawll, Haule):
  Arthur, 18.
  Mr., 170.
Hallydon Hill, near Berwick, 8.
Halsall, Colonel, 199.
Hamburg, 123, 125, 136, 142, 172.
  intelligence from, 124.
Hamilton (Hambleton):
  Sir George, 147.
  James, Marquis of, signature of, 106.
  William Douglas, Duke of, 192, 193.
  Sir —, 146.
Hampden, John, impeachment of, 140.
Hampshire. Hants, *or* Southampton county, 163.
  castles and forts in, 69.
  churches in, 84.
  fugitives from, beyond seas, 83.
  justice of peace in, 93.
  musters in, 81.
  royal castles, manors &c. in, 77.
Hampstead Marshall, co. Berks, 167.
Hampton Court, co. Middlesex:
  conference at, 32.
  meeting of the Council at, 188.
  royal house and park of, 72.
Hanadyne. *See* Homadieu.
Hapsburg, a count of, 121.
Harby, Edward, 157.
Harcourt (Harcort):
  Duc de, 119, 142.
  Sir Simon, slain in Ireland, 149, 151.
  Simon, 2nd Viscount, 202.
Harding, —, 36.
Hare, John, 24.
Harkstead (Hawkstead, Hackested), co. Suffolk, parson of, 83 (2).
Harrington, Harington:
  Sir James, 12, 90.
  Lady, his wife, 12.
  John, Lord, 53.
  William Stanhope, Lord, 202.
Harrow on the Hill (Harrowe the Hill), 114, 162.

Hart, Harte:
Elizabeth, 84.
John. *See* Hartford.
Margaret. 83.
Hartford *or* Harte, John, 84.
Hartley Woods, co. Leicester, 75.
Hartwell, co. Northampton, park of, 79.
Harvey (Harvy):
Justice, 110.
Lady. *See* Montagu, Elizabeth.
Martin, 156.
Harwich, co. Essex, 69, 190.
Haselwood, Sir Ant., 156.
Hastings:
Baron. *See* Kent, Earl of.
Sir Francis, 44.
Henry, Earl of Huntingdon. *See* Huntingdon.
Lady, 30.
Major, 193.
Hatfield [Hatfeild], Lord Salisbury at, 155.
Hatton:
Sir Christopher, Lord Chancellor (1587-1592), 21, 106.
——, letters from, 21, 22.
Sir Christopher, K.B. (in 1642), as Commissioner of Array, 155, 156, 158.
—— letters from, 156, 157.
Christopher, 2nd Lord, 175.
Hatzfeld (Hatsfeild), Imperial General, 119, 123, 126, 143.
Haughton, Thomas, 83.
Haverfordwest, co. Pembroke, castle of, 80.
Haveringe-at-Bower, co. Essex, royal park at, 72.
South Gate, at, 72.
Havre, Duc de, 183.
Havre, in France, 183.
Haward. *See* Howard.
Hawley, Francis, Lord, Captain of the King's troop of horse, letters and orders to, 168-173.
Hawlton, Mr., Queen's woodward, 12.
Haynes, Mr. (actor), and his wife, 182.
Heidelberg (Hedelbergh, Hidelberge, Heydelberge), 92, 102, 103, 119.
Hemington (Hemyngton), co. Northampton, 2, 90.
letters addressed to, 6 (2), 12.
letters dated at, 46, 86.
Heneage (Hineadge), Sir Thomas, Vice-Chamberlain to Queen Elizabeth, 12.
letter to, 18.
Henley, co. Surrey, 74 *note*.
letter dated at, 197.
Henrietta Maria, Queen, 132, 135, 138, 139, 141, 152, 154, 159.
Prince Charles not to remain with, 132 (2), 133.
and the arrest of the five members, 141, 144.
desires to go to Holland, 147.
and the Irish, 150.
wishes to return to England, 155.
daughter of [Princess of Orange], 147.
secretary of, 140.
servant of, 154.
Henry VIII., King, 2, 20.
Herbert (Harbert):
Edward Somerset, Lord, of Chepstow, 53; *and see* Worcester, Earl of.
Sir Edward, Attorney General, 141, 145, 148.
—— charges the five members with treason, 140.
Sir Edward, Lord Chief Justice of the King's Bench, 192, 193.
Sir John, Secretary of State, 41.
—— Council letter signed by, 30.
Lord (1682), 180.
Philip, Earl of Montgomery (aft. Earl of Pembroke). *See* Montgomery.
William, Earl of Pembroke. *See* Pembroke.
Hereford, Viscount. *See* Essex, Earl of.
Hereford, musters at, 81.
Hereford, county of, 34.
castles and parks in, 75.
churches in, 84.
musters in, 81.
Herman-stein (Hermen Stein), 123.
Hertford, Hartford:
Edward Seymour, Earl of, and Lord Beauchamp, 52.
William Seymour, Earl, *and* (in 1640) Marquis of, 130.
—— as guardian to Prince Charles, 132 (2), 133, 149.
Hertford, Hartford, castle of, 72 *note*.
Hertford, Hartford, county of:
castles in, 72, 73.
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 81.
petition from, 145.
Hesilrigg (Hesellrigg), Sir Arthur, impeachment of, 140.
Hesketh (Heskaeth), Sir Thomas, 7.
Hesse, Hessen (Hassia):
Cassel, 123, 127, 143.
—— army of, 160.
—— deputies of, 127.
—— Landgraves of, 120.
—— the Lady Landgrave of, 126, 160.
—— Guillaume Godfried, Sieur de, letter from, 165.
Darmstadt, Landgrave of, 126.
—— troops in, 126.
Hessians (Hassians), the, 120, 143.
Heveningham, Charles, 167.
Hicham [co. Bucks ?], 19.
Hide, Mr., 115.
Higham, co. Kent, bulwark at, 67.
Higham Ferrars (Ferrys, Ferris), co. Northampton, 11.
castle and manor of, 79.
High Peak (Altum Peccum), co. Derby, castle and forest of, 76.
Hildersham, Mr., 34.
Hill *or* Hills House, 179.
chapel at, 186.
Hinchinbrooke (Finchingbrooke), co. Hunts, 97.
as Lord Sandwich's residence, 166.

Hinmarsh, Alderman, of Colchester, 188.
Hobbs, Thomas, surgeon to the King's troop of Life Guards, 185.
Hofkirchen (Hofkircken), General, 123.
Hohenlo, Count, 14, 16, 19.
Hohentweil (Hohenweill), 127, 142.
Holland, Henry Rich, Earl of, 124, 132(2), 161.
resigns his office of Master of the Horse, 149.
Holland, or the United Provinces, 145.
ambassador to. *See* Winwood, Sir Ralph.
ambassadors, envoys, or commissioners from, 85, 96, 166.
cautionary towns of, 91.
English forces going to, 180.
Estates General (General States) of, 14-16, 119, 160, 163, 188.
——, Queen Elizabeth sends a letter to, 15.
—— English troops in the service of, 167, 176.
—— deputies to, 188.
Governor or Count of, 16.
in relation to Queen Elizabeth. *See* Elizabeth.
Princess Mary of England in, 147.
travellers to or from, 127, 185.
treaty with, 96 *note*.
troops of, 166, 188.
truce of, with Portugal. *See* Portugal.
North, 13.
Holles *or* Hollis, Denzil, impeachment of, 140.
Holman, Mr., and his son, 162.
Holmes, Sir Robert, and his squadron, 199.
Holtby, Mark, 169.
Homadieu *or* Hanadyne, Thomas, clerk, 83.
Honiton, co. Devon, 192.
Hopkins, Richard, and his brother, 83.
Hopton, Ralph, Lord, 164.
Horne, G[ustave], imprisonment of, 118.
Horne, in Holland, 16.
Hornsey, Middlesex, 86.
Horton, co. Northampton, letter dated at, 167.
Hotham:
Sir John, 148, 151, 152.
——, wife and children of, 152.
John jun. ("young"), 144.
Hougham, Edmund and Henry, 25.
Houghton, letter dated at, 202.
Houleben, Dutch Admiral, 143.
Hounslow (Houndsloe), 185.
Heath, camp on, 191-193.
——, letter dated at, 194.
Howard, Haward:
Charles, Lord, of Effingham, Lord High Admiral, 53.
—— Council letters signed by, 22, 24, *and see* Nottingham, Earl of.
Edward, Lord, of Escrick, 154.
Sir George, 7, 8.
Henry, Earl of Northampton. *See* Northampton.
Howard, Haward—*cont.*
John, 83.
Sir Philip, Colonel of the Queen's troop of Life Guards, 184, 193.
Thomas, Earl of Arundel and Surrey. *See* Arundel.
Thomas, Earl of Suffolk. *See* Suffolk.
Thomas, Lord Bindon. *See* Bindon.
William, Lord, of Effingham, Lord High Admiral, Council letter signed by, 11.
Howson, Mr., death of, 182.
Huddleston. *See* Hurleston.
Hudson, Mr., 185.
Huggons, Hugganes, Thomas, Provost Marshal, 7, 8.
Hughes, Charles, receipt by, 176.
Huguenots (Hugonets), the, 159.
Hull, Kingston on, 144, 148, 152.
magazine at, 150.
demanded by the King, 153.
Hungarians, the, 98, 99.
Hungary, 99, 143, 186.
King of. *See* Bethlem Gabor.
—— (in 1657), 165.
Hunsdon:
George Carey, Lord, letter from, 30.
—— Council letter signed by, 30.
Henry Carey, Lord, letter from, 23.
—— Council letters signed by, 22, 25.
Robert Caroy, Lord, 193.
Huntingdon:
Catherine Hastings, Countess of, letter from, 19.
Henry Hastings, Earl of, 52.
Huntingdon, 161.
letter dated at, 161.
Huntingdon (Huntington), county of:
churches in, 84.
Lord Lieutenant of. *See* Manchester, Earl of.
musters in, 81.
royal house and park in, 73.
trained bands of, 127.
Huntington, co. Hereford, castle of, 75.
Huntley, George Gordon, Earl of, kinsman of, 9.
Hurleston *or* Huddleston, Richard, Treasurer at wars, 20.
Hussey, Mr., 34.
Huxley, Anne, 116.
Hyde (Hide), Lawrence, Lord Hyde, 181. *and see* Rochester, Earl of.
Hyde Park, Middlesex, review in, 189.

I

Illston (Yllston), co. Northampton, letter dated at, 2.
Imperial:
army or troops. *See* Emperor, forces of.
Court, the, 98, 99, 120.
Imperialists, 125.
Inchkeith (Inchkyeth), near Leith, 8.
Indemnity, Act of, 201.
Ingerstone, co. Essex, 169.
Inglebye, Sir William, 8.
Ingoldsby, Serjeant, 201.
Inniskellin. *See* Enniskillen.
Ipswich, M.P. for, 190.
Irchester, co. Northampton, letter dated at, 131.
Ireland, 107, 109, 111, 112, 144, 146, 187.
absentees' estates in, bill for disposing of, 200.
adventurers for, 151.
army in, 107, 201.
a "bloody bickering" in, 112.
Bridewells for, 112.
business of, discussed in Parliament, 133-135.
Lord Chancellor of. *See* Boyle, Michael, Archbishop of Armagh, *and* Loftus, Viscount.
Deputy of or for, 107, 134.
farmers of Excise in, 177.
"ill posture" of, 166.
the King's proposed visit to. *See* Charles I.
Lord Chief Justice of King's Bench in. *See* Davys, Sir William.
—— of Common Pleas. *See* Keating, John.
Lords Justices of, 112, 146.
Lord Lieutenant of. *See* Leicester, Robert Sydney, Earl of.
money for, needed, 87, 91.
money, ammunition, &c. for, 133, 139, 147.
news from, 144, 200.
North of, 30.
papists or popery in, 112, 132, 134, 146, 147, 150.
parliament of James II. in, 200.
priests and Jesuits in or going to, 133.
rebellion, rebels *or* rebel army in (1641), 132-135, 140, 144-149, 151, 152, 154, 155.
rebels in:
arch, taken, 154.
correspondence with, or aid for, 140, 144.
outrages committed by, 135, 144.
revenues of, proposal to farm, 181, 187.
troops for, 133, 134, 145-148, 151, 152.
—— levy of, 25, 30.
Vice-treasurership of, 192.
Irish:
address, alluded to, 201.
army of James II., 200.
business, 138, 140.
clergy, to be allowed to hold English livings, 201.
Committee, 146.
hatred of the English, 166.
lords and cavaliers, 140.
refugees in England, 146.
Isham, Sir John, 106, 156.
Italian mercenaries, 98, 99.
Italy, 113, 119, 123.
the French in, 119, 121, 126, 142.
news from, 118, 124.

J

Jacob, Mr., 34.
Jamaica, governor of. *See* Albemarle, 2nd Duke of.
James I., 41, 42, 49, 87, 88, 96, 104.
and his Parliament, 40, 41, 43-45.
allies of, 91.
commissions issued by, 84, *note*.
"declaration of sports" issued by, 94, 95.
houses, parks and forests of, 51, 71-80.
letter from, 97.
letters to, 48, 104.
order of, 97.
personal notices of, 45-48, 88, 93, 96 (2).
petition to, 49.
Privy Seals of, 86, 87.
proposals of peace by, 98.
venison for, 97.
wife of. *See* Anne, Queen.
son of. *See* Charles I.
daughter of. *See* Elizabeth, Princess.
Household of:
Lord High Steward (Lord Great Master), 62, *and see* Nottingham, Earl of.
Lord Chamberlain, 63, *and see* Suffolk, Earl of.
Vice Chamberlain, 63.
Cofferer, 62.
Comptroller, 62.
Master of the Horse. *See* Worcester, Earl of.
Treasurer, 62.
Household of, list of officers and fees in, 51-67.
Acatry, 65.
Almoners, 66,
Artificers, 62.
Bakehouse, 64.
Beds (Beedes), 64.
Boulting House, 65.
Butlery, 60.
Buttery, 55, 64.

James I.: Household of, list of officers and fees in—*cont.*
Cellar (Seller), 64.
Chapel, children of, 66.
Chaundry, 65.
Confectionary, 65.
Counting House, 63.
Ewery (Ewrie), 64.
Guard, 63.
Hunting and hounds, 61.
Jewel (Juell) House, 63.
Kitchen, 64.
——, the Hall, 64.
——, the Privy, 64.
Larder, 65.
Laundry, 66.
Musicians, players and trumpeters, 62.
Pantry, 63.
Pastry, 66.
Pensioners, band of, 63.
Pitcher house, 65.
Porters and scourers, 67.
Poultry, 65.
Privy Chamber, 63.
Revels, 61.
Robes, 63.
Scalding house, 66.
Scullery, 66.
Spicery, 64.
Stables, 67.
Surgeons, physicians, and apothecaries, 62.
Tents, 61.
Wafery, 66.
Wardrobe, the great, 60.
Woodyard, 67.
Works, the, 60.
—— provisions for, 86.
James, Duke of York, 2nd son of Charles I., 149, 184.
as commander in Holland, 176.
letter to, 176.
—— alluded to, 182.
escort for, 188.
as King James II., 189-193, 195, 196, 200.
summons from, to attend his coronation, 189.
Court of, movements of, 191-193.
letters or orders from, 191, 194 (4), 195 (6).
and Cambridge University, 198.
proclamation of, alluded to, 199.
troop of. *See under* Army.
in Ireland, 200.
Clerk of the kitchens to, 194.
second wife of [Mary of Modena], 184, 189, 193, 196 (2).
—— said to be with child, 199.
James:
Roger, clerk, 83.
Walter, collector, 106.
Jarmin, Serjeant, 152.
Jarret. *See* Gerard.
Jason and the golden fleece, firework representing, 123.
Jaxon:
Agnes, 3.
Thomas, 3.
Jeffries, George, Lord, Lord Chancellor, 191, 193.
Jefurth, John, 7.
Jegondorf, Marquis of, 143.
Jenkins *or* Jenkyns, Sir Leoline, Secretary of State, 179.
signature of, 183.
resigns his secretaryship, 188.
Jenyson, Thomas, 156.
letter from, 131.
Jermyn:
Henry, Baron Jermyn of Dover, regiment of, 192.
Sir Thomas, 124.
Jerningham (Gerfingham), Walter, 83.
Jerome, Saint, writings of, quoted, 39.
Jersey (Jarcie, Jerzy), 202.
Captain of, 71.
Castle Elizabeth in, 173-176.
—— Mont Orgueil in, 173.
churches in, 84 *note*.
commander in chief in. *See* Morgan, Sir Thomas.
letters, &c., dated from, 173-176.
Lieut.-Bailiff and jurats of, certificate by, 176.
troop of the King's regiment of horse in, 173, 176.
Jesuits, 99, 100, 118, 133, 134, 141, 159.
College, English, beyond seas, 155.
Jewell, Bishop, writings of, alluded to, 35, 36.
Jobson, Edward and Thomas, 17.
Johnson, Richard, 3.
Joliffe, Henry, clerk, 83.
Jones, Anne, 19.
Joux, castle of, 122, 124.
Judges, the:
conference of, with the Commons, 43.
fees of, 56.
letter to, 104.
rights of, in Serjeants' Inn, 49, 50.
Julian the Apostate, allusion to, 40.
Juliers *or* Gulich, country of, 91, 142.
Justice, officers and ministers of, list of, 55, 56.
Juxon, William, Bishop of London, 124.

K

Keating, John, Lord Chief Justice of Common Pleas in Ireland, 187.
Keck, Lawrence, letter from, 182.
Kederminster, Edmund, letter from, 19.
Kellawray, Mr., 12.
Kent, Henry Gray, Earl of, Baron Hastings and [de] Ruthyn, 52.

Kent (Cancia), county of, 29, 34, 162, 170.
castles and forts in, 67.
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 81.
petition to be sent from, 150.
royal castles and manors in, 73, 74.
Kentford, co. Cambridge, 183.
Kerpen, 154.
Kettering, co. Northampton, 94, 110.
Commissioners of Array to meet at, 156, 158.
letter dated at, 157.
Swan Inn at, 156.
Kidwelly (Kidwillie), co. Carmarthen, castle of, 79.
Kildare, Lady, 144.
Kilgerran (Gillgaron), co. Pembroke, castle of, 80.
Killingale, Francis, 7, 8.
Kimbolton, Lord. *See* Mandeville, Edward, Viscount.
King, Kinge:
Henry, made bishop of Chichester, 131.
General, 118.
King's [*or* Queen's] Bench, court of, 146.
Lord Chief Justice of, 56; *and see*
Montagu, Sir Edward.
Wray, Sir Christopher.
Popham, Sir John.
Coke, Sir Edward.
Bramston, Sir John.
Herbert, Sir Edward.
trial in, 130.
King's Bench prison, rules of, 190.
Kingston-on-Thames, Surrey, royalists at, 161, 162.
troops to or from, 169 (2), 185, 188, 189 (2), 191, 194 (2), 197.
Kingston Lacy, co. Dorset, manor of, 77.
Kingswood, co. Gloucester, forest of, 77.
Kinsale, siege of, 149, 152.
Kinsman, Richard, 156.
Kirby (Kerbey), co. Northampton, 106.
Kirke, (Kirk), Colonel Percy, 200.
Kirkham, Sir John, signature of, 111.
Knevet, Knevitt:
Mr., 7.
Sir Thomas, 11.
Thomas, Lord, 53.
Knewstubs, Mr., 34.
Knightley, Knyghtley:
Sir Richard, 11, 21, 26, 46.
—— letters from, 12, 32.
—— wife of, 13.
—— cousins of, 13.
Richard, 105, 106.
Sir Valentine, son of Sir Richard, M.P. for co. Northampton, 32, 42, 46.
Knollys, Knowles:
Sir Francis, council letter signed by, 11.
William, afterwards Lord, 53.
—— council letter signed by, 30.
Mr., 31.
Komore (Cumore), 99.
Königsmark (Coningsmarke), Count, Swedish General, 126, 127.
Kreuznach (Crusenach, Cusenach), 101, 102.
Kynwelmarshe, Edward, 11.
Kyrkard, Mr., 12.

L

La Force, General de, 119.
Lamb, Sir John, 156.
Lambeth, Surrey, 169, 172.
(Lamheath) Deane, co. Surrey, 74.
Lamboy, Imperial General, and his army, 119, 120, 123, 126, 136, 142, 143.
Lamplugh, Thomas, Bishop of Exeter, letter from, 196.
Lancaster, Mrs., 160.
Lancaster, county Palatine of, *or* Lancashire (Lanckeysheire), 34, 140, 149.
churches in, 84.
gentlemen of, 181.
fugitives from, beyond seas, 83.
musters in, 81.
officers and fees in, 57.
papists, protestants and puritans in, 153.
use of the cross in, 40.
Lancaster, Duchy of, manors &c. belonging to, 72, 73, 79.
Lancaster, town of, 181.
Mayor of, 182.
Landwade (Landwaid), co. Cambridge, 183.
Lane:
Anne, 23.
Richard, 156.
Sir Robert, 31.
—— letter to, 9.
William, 22 (2).
Sir William, 46.
Lanerick or Lanark, William Hamilton, Earl of, 127.
Langdale, Anthony, 82.
Langley Marsh, co. Bucks, letter dated from, 19.
Langleys, co. Essex, letter addressed to, 182.
Languedoc, troops in, 142.
Langueth, on the frontiers of Bohemia, 99.
Lansdowne (Lansdown), Charles Granville, Lord, son of the Earl of Bath, 185, 186.
Latham:
Mr., 28.
Oliver, 12.
Latimer, John Nevill, Lord, 52.
Latin tongue, the, letters written in, 162 (2), 167, 179.
secretary of, 57.
Laud, William, Archbishop of Canterbury, 124, 130.
Laufenburg, 127.
Launceston, Cornwall, castle of, 78.

Lavalette:
Cardinal de, 118, 121.
Duc de, 123.
Mademoiselle de, 142.
Law, Mr., 31.
Law, doctor of, 82.
Lawent, General, 123.
Lawson, Admiral Sir John, 166.
Lay preachers, 150.
Leadhurst, Surrey, 74.
League (Lign), troops of the, 121.
Lecturers, 131.
Le Ducq, Ambroise, signature of, 13.
Lee.
Peter, 7.
Richard, 7.
Robert, sheriff of co. Warwick, 157.
Leech, Sir Edward, letter to, 158.
Leede, John, 83.
Leeward Islands, the, 200.
Leganes, Marquis de, 136.
Legge (Legg, Leg):
Captain William, captain of the King's troop of horse, 176 *note*, 189 (2).
——, letter to, 176.
——, orders to, 185, 188, 189.
"one," 161.
Mr., 189.
Leicester:
Douglas Dudley, Countess of, 20.
Robert Dudley *or* Dudley Sutton, Earl of and Baron Denbigh, Lord High Steward, 15, 52.
—— council letter signed by, 11.
—— letters to, 13 (2), 15-20.
—— death of, 20 *note*.
—— wife of. *See* Douglas, Countess of, *above*.
—— sister of. *See* Huntingdon, Countess of.
—— secretary of, 20.
Robert Sydney, Earl of, as Lord Lieutenant for Ireland, 133, 134, 137, 140, 147.
—— regiment of, 146.
Leicester, 34.
abbot of, the late, 83.
castle and chase of, 75.
Leicester, county of:
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 81.
royal parks, &c., in, 75.
Leigh, Sir Thomas, 31.
Leike, Sir Francis, 8.
Leipzig (Leipseicke, Leipsigk), 123, 127.
a fiery sword seen over, 165.
Leith (Lyeth, Lythe), 8, 9.
Lemgau, siege of, 128.
Lennox (Lennecks), James Stuart, Duke of, tutor of, 114.
Lent, 2 *note*.
order against killing and eating flesh in, 22.
Lenthmar, Monsieur, 119.
Leopold, Archduke, made General of the Spanish Netherlands, 142, 143.
Lethington (Leddington), Lord [William Maitland, Laird of], 9.
Lewes (Lewis), Sussex, 168, 169.
Lewis, Island of, description of, 114.
Leyden, 88.
Lichfield (Leichfeilde) and Coventry:
Bishop of [Thomas Morton], 106.
——, [Robert Wright], 139.
Lichfield, musters at, 81.
Liege or Lutich, 127, 154.
Leyden, in Holland, 16, 19.
Lincoln, musters at, 81.
Lincoln, county of:
churches in, 84.
musters in, 81.
Lincoln:
Henry Fiennes [or Clinton], Earl of, Lord Clinton, 52.
Lindsey:
Robert Bertie, 1st Earl of, 114, 157.
Montague Bertie, 2nd Earl of, letters from, 159, 160.
—— uncle of, 160.
Lintz (Linse), the Emperor at, 185.
Lipsius, Mr., of Leyden, 19.
Lisbon, news from, 136.
Lisburn, Viscount. *See* Loftus, Adam.
Liskeard (Liscard), co. Cornwall, new park at, 78.
Lisle:
Ambrose Dudley Sutton, Viscount. *See* Warwick, Earl of.
Lawrence, 116.
Robert Sydney, Viscount, 52, *and see* Leicester, Earl of.
L'Isle, Monsieur de, 125
Litmaritz (Litmeritz), 120, 127.
Littlebourn (Little Burne), co. Kent, 171.
Littleton, Captain or Major Walter, 198.
letters from, 190, 194 (2), 197.
Liturgy, the, proposed abolishment of, 149, 150.
Liverpool, 201.
Livesey (Livecie), Col. Sir Michael, and his regiment, 160.
Llandaff (Landaven) diocese, churches in, 84.
Llanpatrick, North Wales, 20.
Lloyd, Captain, 180.
Loche, G. *and* H., 176.
Lochinvar, Laird of, 9 *note*.
Locke, Matthew, 170.
signature of, 169.
Lockhart:
Sir George, 193.
Col. Sir William, formerly governor of Dunkirk, 171.
—— letter from, 170.
—— regiment of, 171.
Loddington (Loddyngton) Woods, co. Northampton, 42.
Loftus:
Adam, Viscount, Lord Chancellor, and (in 1630) one of the Lords Justices of Ireland, 112.
Adam, made Viscount Lisburn, 191.
London, *passim*:
Aldermen of, 128, 179.
apprentices of, 134, 138.
artillery feast in, 179.

London—*cont.*
Bishops of. *See* Bancroft, Richard; Juxon, William; Compton, Henry.
bonfires in, 105.
changes in, 166.
churches in, 84.
citizens of (the Londoners), said to be called rascals by the King, 129.
—— at Westminster, 137, 138.
—— petition of, alluded to, 135. 137.
—— proceedings of, 141.
—— views or intentions of, 129, 139.
—— wives of, attack the Lord Mayor, 141.
Common Council of, 141, 179.
—— the King's speech to, 141.
defence of, 144.
fairs and markets in, 179.
farmers of Excise in, 177.
fear lest the army be brought to, 130.
fugitives from, beyond seas, 83.
heat in, 166.
letters dated at, 115, 117, 130, 154, 166, 172, 182.
loan from, asked by the King, 127-129.
—— desired for Ireland, 133.
Lord Mayor of, 182.
——, in 1640. *See* Garway, Sir Henry.
——, in (1641-2). *See* Acton, Sir William.
—— choice of, 128.
—— and aldermen of, court of, 128.
—— —— letter to, 127.
militia of, 152.
ministers in, 34.
musters in, 81
news-letters from, 131, 134, 136.
petition from, 145.
the plague in, 130.
price of provisions in, 146.
Recorder of. *See* Montagu, Henry; Gardiner, Thomas.
residents in, *passim.*
sheriffs of, 129, 134, 135, 143, *and see* Gerard, Alderman.
ships trading to, 109.
travellers to or from, *passim.*
treasure to be brought to, 168.
tumults in, 129, 137, 155.
visitation in, 129.
and Westminster, streets, &c., in, named:—
Albemarle House, 179, 185.
—— letter dated at, 176.
Barbican (Barbecen), 114.
Bartholomew Lane, Excise office in, 177.
Bedford House, letter dated at, 12.
Bloomsbury, 177.
Brook House. Committee at. *See* Accounts, Committee of.
Charter (Cherter) House, 111, 114.
Cheapside Cross, 147.
Clerkenwell, Newcastle House in. *See* Newcastle House, *below.*

London and Westminster, streets, &c.—*cont.*
Derby House. Committee at. *See* Both Kingdoms, Committee of.
Drury Lane, 197.
Elye Place, letter dated at, 3.
Fetter Lane, the *Maiden's Head* in, 115.
Finsbury Fields, 152.
Fleet prison, Warden of, 71.
—— prisoners in, 111, 166.
Fleet Street, 49, 50 *note.*
—— Bolt and Ton Yard in, 146.
Greys Inn, 152.
Guildhall (Guilde Hall), 128, 155.
—— adventurers at, 155.
—— the Commons adjourn to, 139-141.
—— the King's speech at, 141.
Holborn, 113.
Hyde (Hide) Park, 169.
—— keeper of, 72.
Jermyn (Jermin) Street, letter dated from, 177.
King Street, 130.
King's play-house, 182.
Leicester Fields, letter dated from, 202.
Lincoln's Inn, 152.
Little Britain, 46.
Little St. Bartholomew's, 90.
Lombard (Lumberd, Lumbert) Street, letters dated from, 90 (2), 92, 93.
Mall (Mell), the, 203.
Marshalsea (Marshalseyes) prison, prisoner in, 111.
Marybone (Mariebone), royal house and park of, 72.
Moorfields (Moore Fields), 128.
Newcastle House, 193, 199.
New Fish Street Hill, church on, 131.
Newgate, prisoners in, 135.
Northampton House, 105.
Pall Mall, 203.
—— letter dated from, 202.
Paternoster Row, 198.
Rolls, the, letter dated at, 25.
Saint Bartholomew's the Less, 158.
St. Clement Danes, parish of, 167.
St. James', 191, 192.
—— Square, letter dated at, 201.
Saint Paul's Cathedral, Dean of. *See* Overall, Dr. John.
Savoy, the, letter dated at, 19.
Serjeants' Inn, 49, 50 *note*, 150.
Smithfield, 158.
Somerset House, 105.
Southampton Buildings, Excise-office in, 178.
Strand, the, 198.
—— letter dated from, 86.
Suffolk Street, 202.
Temple, the, 100, 152.
——, letter dated from, 105.
—— Middle, letters dated at, 21, 22, 29.

London and Westminster, streets, &c.—*cont.*
Temple Bar, 105.
Tower, the. *See* Tower.
—— Hill, gardens on, 59.
York House, 105.
——, letter dated at, 104.
Londonderry, 200.
Long, Justice, sent to the Tower, 135.
Longueville (Longeville) Duc de, French General, 120, 123, 126, 142.
army of, 126.
marriage of, 142.
Lord Chancellor, *see*:
Goodrich, Thomas.
Hatton, Sir Christopher.
Ellesmere, Lord.
Verulam, Lord.
Finch, Heneage, Lord.
Jeffries, Lord.
—— Court of, 96.
Lord Chief Justice. *See* King's Bench *and* Common Pleas.
Lord Keeper, 148. *And see* Puckering, Sir John; Egerton, Sir Thomas; Williams, Dr. John; Lyttleton, Lord.
Lord Treasurer, 53, *and see* Dorset, Suffolk, Middlesex, *and* Rochester, Earls of.
Lords, House of (the Higher or Upper House, the Lords), 129-131, 134-137, 139, 145, 151, 152, 175.
and the Bishops, 139, 140, 147.
appearances before, 131, 201.
bill in, 201.
clerks of, 175.
conferences with, or messages to or from the Commons, 132, 133, 137, 139, 144, 145, 148, 152, 153.
the King goes to, 135.
members of, sent to Treasurer Middlesex, 106.
message to, from the King, 148.
——, from the King of France, 152.
papists to be kept out of, 130.
petition to, 148.
privileges of, encroachment of, 149.
proceedings in, 130, 132, 133, 137, 139, 143, 144, 145.
quarrel in, 135.
speeches made in, 137.
usher of, persons in the custody of, 139.
votes of, 149.
Lorraine (Lorrayne):
Charles, Duke of, 97, 119, 120, 123.
Duke of (1683), 185.
army of (the Lorrayners), 142.
parliament at, 136.
troops in, 120.
Loughborough, Lord [? Lochinvar, Laird of], son of, 9.
Louvois (Lovoy) French secretary to Charles II, 192.
Low Countries. *See* Netherlands.
Lubeck:
Denmark treating with, 142.
territories of, 136.
Lucy, Lucie:
Captain, widow of, 192, *note*.
Spencer, 157.
Luddington, co. Northampton, fines of, 28.
Ludlow, Sir Henry, 151.
Ludlow, musters at, 81.
Lumley (Lumbley), John, Lord, 53.
Lumley [? Lambley, co. Notts.], letter dated at 115.
Luneburg, 127, 143.
Duke of, 121.
Lunsford:
Sir Herbert, letters from, 173 (2).
Colonel Thomas, appointment of, as Lieutenant of the Tower, 137.
—— —— rescinded, 137.
—— compensation for, 138.
Lutherans *or* Lutheran preachers, 120, 125.
Lutich. *See* Liege.
Luxemburg (Luxenburg), 136.
Lymington, John Wallop, Viscount, letter from, 203.
Lynn (Linne) Regis, musters at, 81.
Lyons, Lyon, 125, 126, 142.
Lyttleton:
Col. Sir Charles, 170.
Edward, Lord, Lord Keeper, 131, 138, 149, 153.
Gilbert, 18.

M

Maas *or* Meuse (Mase), the river, 136, 142.
Macdonald, Lord, 178.
MacLachtan (?) J., letters from, 178, 182.
Madocks, Thomas, 27.
Magdeburg, 123, 143.
Maidenhead, co. Berks, 195, 196.
Maidstone, co. Kent, manor of, 74.
Maidwell, Maidewell, Maydewell:
Mr., 23.
Thomas, 107.
Main (Maine), the river, 120.
Mainz (Mentz):
Bishop of, 101.
Bishopric of, 98.
Spinola's camp by, 101-103.
Malchin, Imperial army at, 119.
Mallery, William, 7.
Man, Lord of. *See* Derby, Earl of.
Manchester, Henry Montagu, Earl of, Lord Lieutenant of co. Huntingdon, 111, 122, 124.
—— as Lord Privy Seal, 111, 114.
—— letter from, 117.
—— letter to, 127.
—— "frets and fumes, but votes right in the House," 150.
—— wife of, 111, 114.
—— daughter of. *See* Montagu, Lady Susan,

Mandeville (Mandivell), Edward Montagu, Viscount, and Lord Kimbolton, 144.
—— impeachment of, 140.
—— [Anne], second wife of, 145.
—— intended re-marriage of, 150.
—— [Essex], third wife of. *See* Bevill, Lady.
Henry Montagu, Viscount, afterwards Earl of Manchester (*q.v.*), Council order signed by, 106.
Mannering (Manerings), Sir Anthony, 7.
Manners:
Henry, letter from, 154.
Roger, 23.
Roger, Earl of Rutland. *See* Rutland.
Mannocks, Mr., woollen draper, 198.
Mansfeld, Count Ernest (Earl of Mansfeild), 100.
Mansfeld (Mansfield), castle of, 143.
Mantua, Duchess of, 119.
son of, 119.
Markham, Captain, 7.
Marlborough, co. Wilts, 195.
Marshfield, co. Gloucester, 195.
Martial's epigrams, quoted, 190.
Martinique, 200.
Mary, Queen, 5, 6, 20.
commissioners of, 5.
Mary, Princess [? of Savoy], 126.
Mauleverer (Malyvery), Sir Edmund, 7.
Maurice, Count. *See* Nassau.
Maxwell, Master of, 9.
Maydewell. *See* Maidwell.
Mazarin *or* Mazarini, Cardinal, 142.
Medemblicq (Medenblicke, Medenlyck), in Holland:
commandant against. *See* Famars, Monsieur de.
English commander at. *See* Sonoy, Colonel.
siege of, 13-16.
Mehlen [? Mechlin], Archbishop of, 136.
Melford (Milford), Suffolk, parson of, 83.
Mendlie [? Henley], Surrey, park of, 74.
Merchant Adventurers, the old, 93.
Mercy, Von, Bavarian General, 127.
Merioneth (Merionth), county of:
musters in, 82.
sheriff of, murdered, 28.
Meryame, —, 24.
Metz, in Lorraine, 136.
Meuse, the. *See* Maas, the.
Middelbourg (Middlebourg, Midelborg) in Zeeland, burghers of, 13, 14, 16.
letter dated at, 88.
Middlesex:
Lionel Cranfield, Earl of, Lord Treasurer, trial of, 106.
Charles Sackville, Earl of, 202.
Middlesex, county of, 34.
churches in, 84.
Deputy-lieutenant of, 202.
fugitives from, beyond seas, 83.
musters in, 81.
royal houses and parks in, 71, 72.
Middleton, John, Earl of, letter from, 189.
Milan (Mellan, Millayne), 94, 121.
Milanese forces, 99.
Mildmay (Mildmaie, Myldemaye):
Sir Anthony, 49.
—— letters from, 49, 89.
—— letter to, 49.
Robert, 156.
Sir Walter, 21, 22, 106.
—— letter from, 21.
—— letter to, 11.
—— son of, 20.
—— nephew of, 17.
Milleroye, French General, 126, 142.
army of, 126.
Militia, the, 155.
struggle for the control of, 147, 148, 150, 151, 153.
Millington, Robert, letter from, 199.
Mills (Mylles):
Francis, clerk of the Privy Seal, papers signed by, 87 (2).
Richard, 24.
Minehead (Mynehead), co. Somerset, 201.
Ministers, "scandalous," bill concerning, 148.
Mint, the, officers and fees of, 59, 60.
Mirbury Castle, co. Herts, 72.
Modena (Moden), Duke of, 119 (2).
Monk, Monck, Thomas, apology by, 181.
letter from, 180.
Monmouth, James Scott, Duke of, 180.
order of, 173.
as Chancellor of Cambridge University, 180.
race ridden by, 181.
letter from and to, 191.
rebellion *or* army of, alluded to, 193.
Monmouth, castle of, 79.
Monmouth, county of, 79, 152.
musters in, 81.
Monro (Mountro), Robert, commander of the Scots forces in Ireland, 152, 154, 155.
Monsigott, Monsieur, 132.
Montagu, Montague (Mountague, Mountegu, Mountagewe, Montegue, Mountegew):
Viscount [Anthony Brown], 52.
Ann, daughter of Sir Charles, 113, 114.
Anne [Winwood], wife of Edward, aft. 2nd Baron, funeral of, 158.
Charles, son of Sir Edward (1), letter from, 28.
Sir Charles, son of Sir Edward (2) 46, 92, 96 (2), 104, 105.
—— letters from, 86, 90, 92, 93.
—— receipts signed by, 93.
—— wife of. *See* Montagu, Mary.
—— son of, 114.
—— children of, 90.
Dowse, daughter of Sir Edward (1) 31 *note*.
Sir Edward (1), Lord Chief Justice of King's Bench (1539) and of Common Pleas (1546), 2.
—— letters to, 2, 3.
—— petition of, 4.
—— disgrace and imprisonment of, 5, 6.
—— death of, 6,

Montagu, Sir Edward (1)—*cont.*
—— third wife of. *See* Montagu, Ellen.
—— children of, 5, *and see under their names.*
—— servants of, 6.
Edward or Sir Edward (2), M.P. and High Sheriff for co. Northampton, 26, 28 (2), 30.
—— letter from, 12.
—— letters to, 6 (2), 9, 11, 12 (3), 21-28, 31.
—— marriage of, 6.
—— knighthood of, 6, 31 *note.*
—— wife of. *See* Montagu, Elizabeth.
—— sons of, 31, *and see under their names.*
—— daughter of, 13.
—— brothers of, 6, *and see* Montagu, Roger *and* Symonds.
—— nephew of, 25.
—— servant of, 27.
Edward or Sir Edward (3), M.P. for co. Northampton, Knight of the Bath, and (in 1621) 1st Baron Montagu of Boughton, 27, 30, 104, 113.
—— letters from, 28, 49 (2), 95, 105, 116, 122, 156, 157.
—— letters to, 26, 27, 31, 32, 41, 46, 48-50, 84, 86-90, 92-97, 104-107, 109-111, 113-117, 129-132, 138, 139, 143, 147-154, 157, 159, 160.
—— notes of proceedings in Parliament by, 40, 42, 50.
—— other papers by, 45, 47, 49, 125.
—— endorsements by, 96, 104, 106, 110, 120, 122, 125, 128, 129, 155, 157, 158.
—— petition of, 49.
—— property of, 50.
—— list of plate sold to and by, 81.
—— as deputy lieutenant of Rockingham Forest, 41.
—— and the case of the Northamptonshire clergy, 42, 44-46.
—— grievances presented by, to Parliament, 42.
—— and the election of Sir Francis Goodwin, 43.
—— the King displeased with, 45-47.
—— Act of Thanksgiving drawn up by, 48
—— complaint made against, 95.
—— summons to, to attend the coronation of Charles I, 111.
—— and the marriage of his son, 115-117.
—— contribution from, to the King, 122.
—— as Commissioner of Array, 155, 156, 158.
——, [Frances, 2nd] wife of, 28, 46, 88, 90, 92-94, 113, 114, 116, 118.
——, ——, illness of, 110.
——, sons of, 115, 118, *and see* Montagu, Edward, *and* William.
Montagu, Sir Edward (3), &c.—*cont.*
——, daughters of, 115, *and see* Montagu, Elizabeth *and* Frances.
Edward, son of Sir Edward (3), afterwards 2nd Baron, 149 (?).
—— proposed marriage of, 115-117.
—— letters from, 129, 130.
—— letters to, 159-168, 170, 172, 174, 175, 186 (2), 187.
—— death of, 186 *note.*
—— wife of. *See* Montagu, Anne.
—— children of, 160, *and see* Montagu, Edward, Elizabeth, *and* Ralph.
Edward (Ned), eldest son of 2nd Baron, 161-167.
—— letters from, 165, 167 (2).
—— killed in action against the Dutch, 167 *note.*
Elizabeth, wife of Sir Edward (2), 6, 13, 22, 26-28, 86 (?).
—— letters to, 28 (2), 29.
—— illness of, 28.
—— letter from, 46.
Elizabeth, daughter of Sir Edward (3), marries Robert, Lord Willoughby, aft. Earl of Lindsey, 84 *note*, 90.
—— letter from, 114.
—— daughters of, 114.
Elizabeth (Bettie), daughter of 2nd Baron, 161, 162 (3), 164, 165.
—— as Lady Harvey, letter from, 172.
—— daughter of, 173.
Ellen, 3rd wife of Sir Edward (1), 6.
—— letter from, 6.
Frances, daughter of Edward, 1st Baron, (married John Manners, afterwards 8th Earl of Rutland), 114, 116.
George, 5th son of Henry, 1st Earl of Manchester, 149 *note*, 150, 186.
—— letter from, 167.
Henry, son of Sir Edward (2), Serjeant at law, 27, 90, *and see* Mandeville, Viscount, *and* Manchester, Earl of.
—— as Recorder of London, 47.
—— letters from, 21, 22.
—— report that he is to be Speaker, 90.
Dr. James, son of Sir Edward (2), Dean of the Chapel Royal, and successively Bishop of Bath and Wells and of Winchester, 27, 33, 46-49, 90, 92, 93.
—— letter from, 48.
—— letter to, 47.
John, brother of Sir Edward (1), certificate by, 2.
John, 2nd Duke of Montagu:
—— letter from, 203.
—— letters to, 202 (5), 203 (2).
—— death of, 203 *note.*
Mary, wife of Sir Charles, 86, 90, 92, 93, 114, 163.
—— letter from, 113.
—— daughters of, 114; *and see* Montagu, Ann *and* Mary.

Montagu, Mary, &c.—*cont.*
—— sisters of, 113, 114.
—— servant of, 163.
Mary, daughter of Sir Charles, 113. 114.
Ralph (Raphe), 2nd son of the 2nd Lord Montagu; afterwards 3rd Baron Montagu of Boughton, and cr. (in 1689) Earl, and (in 1705) Duke of Montagu, 175.
—— as a boy at school, 161-164.
—— marriage of, to the Countess of Northumberland, 170, 186 *note*.
Roger, son of Sir Edward (1), 22, 92.
—— letters from, 6, 23, 24, 26-28, 31.
Lady Susan (Sue), daughter of Henry, Earl of Manchester, 111.
Sir Sydney, son of Sir Edward (2), 27, (2) 28, 92 (?) 96 (2), 104, 118, 130.
——, letter from, 29.
Symonds *or* Simon, son of Sir Edward (1), 12, 42.
Theodosia (Docy), daughter of Sir Edward, (2), 28 (2), 30.
Thomas, father of Sir Edward (1), 2.
——, Agnes, wife of, 2.
Thomas, son of Sir Edward (1), 24.
Walter, son of Sir Edward (2), 28.
William, son of Sir Edward (1), 24, 96, 156.
—— letters to, 92.
—— privy seal sent to, 87.
William, second son of Edward, 1st Baron, 147, 164.
—— as Chief Baron of Exchequer, 174.
—— letters from, 149, 175.
—— wife of, 176.
Dr. of Cambridge [? Dr. John, Master of Trinity], 199.
Lady, 164.
Mr., letter to, 11.
—— wife of 11.
Montagu family, the, 50 *note*.
Monteagle, William Stanley, Lord, 53.
Montfort, William, letter from, 196.
Montgomery (Mountgomerie), Philip Herbert, Earl of, 52.
as Lord Chamberlain, 112.
Montgomery (Mongomery) county of, musters in, 81.
Montmelian, 125.
Montrers [? Montereau], ghost at, 125.
Moore, More:
William, 12.
Sir William, 19.
Moorehay, co. Northampton, 97.
Moors, capture of, 166.
Mordaunt (Mordant):
Lewis, 3rd Lord, 24, 27, 42.
Henry, 4th Lord, 42, 53.
Lord (in 1688), 200.
Morgan, Sir Thomas, commander-in-chief in Jersey, 173, 175.
letters from, 173-175.
Morley:
Edward Parker, Lord, 52.
Henry Parker, Lord. *See* Parker.
Captain, 168.
Morton:
Thomas, Bishop of Lichfield, and (in 1632) of Durham, 106, 139.
Sir Thomas, 121.
Moselle, Mosell, the river, 101, 102, 126.
Moulsham (Mowsham), Essex, letter dated at, 182.
Mountjoy, Charles Blount, Lord, 53. *And see* Devonshire, Earl of.
Mulgrave (Moulgrave) John Sheffield, Earl of, marriage of, 192.
Mulsho, Mulsoe:
Thomas, letters from, 25, 26.
William, letter from, 111.
Mulshoes, the, 22.
Munster, in Ireland:
rebels in, 144, 146, 151.
troops for, 151, 152.
Muriell, —, 199.
Murray (Murry):
Lord John, 202.
Richard, 48.
Sir Robert, 177.
[Will], 133.
[Moray] Alexander Stuart, Earl of, Commissioner to the Parliament of Scotland, 192.
Musselburgh (Muskleboroughe), 8.
Muster:
Masters, 7, 8, 10, 11.
roll, 197.
Musters, general, list of, 80, 81.
—— orders for, 9, 91.
—— Commissary General of, order to, 194.
Mylles. *See* Mills.

N

Nancy (Nancie), enterprise upon, 120.
Napier (Napper), Sir Robert, 113.
Nassau (Nassaw):
Maurice, count of, 14.
Heinrich, Count of (Grave Henricke), 102, 103, 119.
George Friderich, Prince of, certificate by, 167.
Navy, the, 91.
Commissioners for, 193.
Customs granted for the use of, 130, 146.
money for, needed, 87, 91.
—— transport of, 169.
Treasurer of. *See* Vane, Sir Henry, jun.; Anglesey, Earl of.
victualler of, 58.
Charles II., visits, 166.
Neapolitan forces, 99.
Needwood (Medwood), co. Stafford, chase of, 76.
Nerden, in Holland, 16.
Netersfeild, Sir John, 147.
Netherlands *or* Low Countries, the, 99, 109, 126, 172.
English forces in, 20.
——, commander of. *See* Willoughby, Lord.
solemn fast in, 103.

Netherlands, &c.—*cont.*
Spanish general in. *See* Leopold, Archduke.
States of, 163.
Neustadt [Neustad], 119.
Nevill (Nevell):
Edward, Lord Abergavenny. *See* Abergavenny.
Sir Henry, 88.
John, Lord Latimer. *See* Latimer.
Lord Darcy of. *See* Darcy.
Newark, Henry Pierrepoint Lord, 135.
Newburg, deputies from, 127.
Newburgh, Viscount [Sir James Levingston], 124.
Newbury (Newberry), co. Berks, 167, 195, 196.
Newcastle:
William Cavendish, Earl of, 144.
Frances Cavendish, Duchess of, 184.
Thomas Pelham Holles, Duke of, 202.
Newcastle-upon-Tyne, 109, 125, 128, 152.
New Forest, co. Hants, bailey of Burley in, 77.
Newhall, Essex, 179, 192.
letters addressed to, 179 (2), 189, 190.
Newman, Mr., 31.
Newmarket, co. Cambridge, 114, 179, 183.
the court at or going to, 97, 182.
letters dated from, 97, 182, 189.
Newnham, co. Warwick, letter dated at, 170.
Newport:
Mountjoy Blount, Earl of, Constable of the Tower, 138.
Richard, 7.
Newsletters, 118-128, 136, 142, 143, 159, 188, 191.
Newspapers or diurnals, cease to be printed, 148.
Nice (Nize), city of, 142.
Nicholas, Edward or Sir Edward, 124, 157.
Nichols, Mr., 34.
Nobility of England:
degrees and precedence of, 51.
list of (in 1607), 51-53.
Noel *or* Nowell, Captain Robert, brigadier, and lieutenant of the King's troop of Life Guards, 182, *note*, 183.
Nonconformist or unlicensed preachers, 168, 174, 175.
Nonsuch, Surrey, palace of, 74.
Norborough, Sir John, 200.
Norden, Mr., 34.
Norfolk, Thomas Howard, Duke of, expedition of to Scotland (in 1560), 8.
his Council, 8.
Norfolk (Northfolke), county of:
castles in, 73.
churches in, 84.
fugitives from, beyond seas, 84.
musters in, 81.
Norris, Francis, Lord Norris de Rycote (Riccott), 53.
North (Noth):
Dudley, Lord, 53.
Sir Dudley, 114 (2).
——, father of, 114.
Mr., 111.
North, the, Lord President and Council of, 56.
Northallerton, negotiations with the Scots at, 128.
Northampton:
William Parr, Marquis of, letters from, 9-11.
Henry Howard, Earl of, 52.
Spencer Compton, Earl of, as Commissioner of Array, 155-158.
Northampton, county of, 11, 23, 24, 26, 42, 91, 108, 125.
assessments in, 25, 160.
assizes in, 9, 21.
beacons for, 12, 90.
churches in, 84.
commissaries' courts in, 42.
commissioners of archery in, 25.
——, of array in, 156-158.
—— ——, letters from, 157, 158.
—— ——, letters to, 155, 157.
—— ——, list of, 156.
commissions in, 49.
—— for enclosures, 50.
—— of Lieutenancy, 158.
constables of, 158.
county committee of, 160.
deputy-lieutenants of, 7, 9, 11.
—— commission sent down for, 7.
——, letters to, 87, 121.
divisions of, 85, 89, 106.
farmers in, condition of, 107.
gentlemen of, summoned to attend the King, 158.
grievances of, presented to Parliament, 42.
high constables of, letter to, 158.
justices of the peace for, 86, 110.
—— letters to, 11, 24, 25 (?), 86, 87, *and see* sheriff and justices, *below*.
knights of the shire for, 21, 32, *and see* Mildmay, Sir Walter; Montagu, Sir Edward; Knightley, Sir Valentine.
——, election of, 106, 109, 110.
levies in, for Ireland, 25, 30.
—— for Scotland, 124 (2).
Lords Lieutenant of. *See* Northampton, Marquis of; Sussex, Earl of; Exeter, Earl of.
magazine for corn to be provided in, 97.
militia or county forces of, 23, 25, 27, 90.
—— training of, 87, 88.
ministers in, 134.
—— grievances of, 42, 45.
musters in, 7, 9, 10, 25, 26, 81.
—— order for, 90.
muster master for, 7, 10.
places in, *passim*.
provision of corn, beeves, &c. from, 23, 24.
quarter-sessions in, 86.
residents in, *passim*.
royal castles and manors in, 79.
sheriff of, 7, 110, 156.
—— letters to, 11, 91, 155, 156.
—— and commissioners of musters in, letter to, 30.
—— and justices of, letters to, 25, 91, 97.

Northampton, county of—*cont.*
subsidy assessors and collectors in, 24, 169.
—— commissioners in, letter to, 169.
trained bands of, 121, 124, 157.
traveller to, 167.
Northampton, town of, 3, 11, 13, 24, 26, 110, 111.
commissioners at, 50.
troops at, 199.
Northumberland:
John Dudley, Duke of, 4, 5.
Algernon Percy, Earl of, 147, 150.
Henry Percy, Earl of, 51.
Josceline Percy, Earl of, widow of. *See* Wriothesley, Lady Elizabeth.
——, daughter of, 186 *note*.
George Fitzroy, Duke of, son of Charles II., 188, 192.
——, marriage and wife of, 192.
Northumberland, county of:
castles in, 71, 79.
musters in, 82.
preyed on, by the Scots, 128.
Northwood, co. Somerset, royal house and park at, 77.
Norton, Richard, 82.
Norton, co. Northampton, 3.
letters dated at, 12, 30.
Norwich:
castle of, 73.
musters in, 81.
Norwyche, Mr., 7.
Nottingham, Charles, Lord Howard, Earl of, Lord High Admiral, 52.
as Lord High Steward of the Household, 40, 41.
signature of, 30.
Nottingham, county of:
churches in, 84.
musters in, 81.
Nowell. *See* Noel.
Noyers, Monsieur, 121.
Nuremberg (Norimberg), assembly at, 127.
Nycollson, Edmund, 27.

O

Oatlands (Otelands):
royal house and park at, 74.
the Queen at, 132.
Ockley (Okley), Little, co. Northampton, parson and parsonage of, 92.
O'Conolly, Owen, 133, 134.
Oder, the river, 143.
Ogle (Ogell), Cuthbert, Lord, 53.
Oisonville (Ossonville), Baron de, 127.
Oldsworth, Dr., 131.
O'Neill (O'Neale):
Captain, 131.
Sir Phelim (Phlemon), 140, 152.
Onely, Edward, 156.
Oppenheim (Oppenhem), 101, 102.
Orange:
Frederick Henry, Prince of, 98, 118, 119, 126, 154, 172.
——, forces of, 102, 103.
Orange, Prince of—*cont.*
——, party of, 160.
——, daughter of, 136, 142.
Prince William of, 147.
—— wife of (Mary, daughter of Charles I.), 147.
William, Prince of, 188.
Ordnance, 8.
master of (in 1560). *See* Gower, Thomas.
officers of, 58, 59, 171.
Orleans, traveller to, 85.
Ormistoun (Armeston), James, Laird of, 9.
Ormond:
Duke of, 166, 181.
Countess or Duchess of, 144, 166.
Osnaburg (Osnabrug), 120.
Ossory, Thomas Butler, Earl of, death of, 176.
Otford (Ottford), Kent, royal house and garden at, 74.
Oundle, co. Northampton, 158, 166.
Ouse, Selby upon. *See* Selby.
Outon, Sir Adolphus, 203.
Overall, Dr. John, Dean of St. Paul's, 33.
Owen, Lewis, sheriff of co. Merioneth, 20.
Oxford:
Aubrey de Vere, Earl of, colonel of the King's own regiment of Horse, 176, 177, 190, 197.
—— orders to, 189 (2), 194 (2), 195 (2).
—— orders from, 171 (2), 176, 191, 198.
—— regiment and troop of. *See* Army.
Henry de Vere, Earl of, and Viscount Bolebec, 51.
—— as general in Germany, 102.
Oxford, 184.
Bishop of [John Bridges], 33.
Christ Church in, Dean of. *See* Ravis, Thomas.
musters at, 81.
Oxford, county of, 34.
churches in, 84.
fugitives in, beyond seas, 84.
musters in, 81.
royal parks and forests in, 78.
Oyer and Terminer, justices of, 57.

P

Pack, Mr., 174.
Padua, 89.
Paget (Pagett):
William, Lord, 53.
Lady, "old," 19.
Paine, Sir Edward Montagu's man, 86.
Palatinate, the, 100, 103, 143.
armies or troops in, 98, 101, 118, 119, 142.
towns of, not well fortified, 102.
restoration of, negotiations for, *or* Palatine treaties, 136, 143, 153.
fearful sights in, 154.
the lower, 120, 121, 143.

Palatine of the Rhine:
Frederic, Elector (the Palsgrave), 88 (2). 91, 98.
—— as King of Bohemia, 97 *note*, 99. 100, 104.
—— wife of. *See* Elizabeth, Princess.
Charles Lewis, Prince Elector, his second son, 120. (2) 121, 123, 125. 134.
——, imprisonment of, in France, 126 (2).
——, "the Emperor juggles with," 154.
Rupert, Prince, his third son. *See* Rupert.
Pallant, Carsillas, signature of, 13.
Palmer, (Paulmer, Pawmer, Paumer):
Edward, 156.
Jeffrey, 156.
Peter, 28.
"Cousin," 90, 93, 110, 150.
Mr., 6.
Papists, *or* Popish party, the, 128, 132-137, 152. 153, 159.
disarming of, 152.
in Ireland. *See* Ireland.
release of, ordered, 104.
supposed plots of, 137.
toleration for, 104.
at the Universities, 201.
Parham, Lord Willoughby of. *See* Willoughby.
Paris (Parris), 92.
Danish Ambassador at, 201.
letter dated at, 85.
news from, 118-120, 122-126, 136. 141, 159, 201.
places in:
Arsenal, 127.
Bastile, 123. 126, 201.
Hostel, 127.
Parker:
Charles, 82.
Edward, Lord Morley. *See* Morley.
Edward, 82.
Henry, [Lord Morley], 82.
Phil, letters from, 181, 190.
Captain, 185.
Mr., 34.
Parkins, unlicensed preacher, 168.
Parliament:
(of Queen Elizabeth), 21.
—— members of, 11.
(of James I) 40-45.
—— act passed in, of Thanksgiving for the discovery of the powder plot, 49.
—— clerk of, 58.
—— members of, 41.
—— —— expelled, 44.
—— subsidy granted by, 106.
(of Charles I) the Long, 128-163, *passim*.
—— accusations against, 152, 159.
—— bills in, 130 (2); 148.
—— commissioners from, to the King, 152.
—— committees of, 149, 152, 153.
—— enemies of. *See* Charles I. party of.
—— privilege of, 140. 141, 149, 157.
—— plots against, 132 (2), 133, 152.
Parliament (the Long)—*cont.*
—— the King offers to appoint Commissioners for, 148.
—— and the Irish rebellion, 150.
—— resolve of, for Lord Warwick to go to sea, 150.
—— review of the Militia by, 152.
—— the King of Denmark will not engage against, 159.
(of Charles II.) 166, 174, 177, 191.
——, Acts of:
Chimney, 166, 174.
against private meetings [Conventicle Act], 166.
(of William and Mary):
bills and votes in, 201.
Upper House of. *See* Lords, House of.
Lower House of. *See* Commons, House of.
Parliament House, the, 41.
Parma, Duke of, 136. 142.
ambassador to, 136.
Parris garden, Surrey, King's bears and mastiffs at, 75.
Parsons:
Sir John, captain of the King's troop, Royal regiment of Horse, 190. 194, 195, 197.
——, letters from, 197 (2).
——, letters to, 191, 194.
Captain William, his brother, letter from, 194.
Pasor [? Passau], 186.
letters dated at, 185.
Patmos (Pathmos), island of, 1.
Paulet, William, Lord St. John of Basing, *and* Marquis of Winchester. *See* St. John, *and* Winchester.
Paull, William, a butcher, 27 (2), 31.
Paulton (Poulton), co. Somerset, royal house at, 77.
Paye, Mrs., 159.
Payn, Philip le, 176.
Peachell, J., Master of Magdalen College, Cambridge, *and* Vice-Chancellor, letter from, 198.
Peck's *Desiderata Curiosa*, papers printed in, 51 *note*.
Pellam, one, captain of the pioneers, 8.
Pembroke:
William Herbert, 3rd Earl of, 52.
—— council order signed by, 106.
—— as Lord Steward, 112.
and Montgomery, Philip Herbert, 4th Earl of, 165. *And see* Montgomery.
—— letters from, 117 (2).
—— grandson of, 165.
Henry Herbert, 9th Earl of, 202.
Pembroke (Pembrook), county of:
castles in, 80.
musters in, 82.
Pennington, Capt. John, 145.
Pens, Count, 123.
Penyman, Sir William, 135.
Pepys, Samuel, 190.
Percy (Persie, Percye):
Sir Henry, *temp.* Eliz., 7.
—— letter from, 8.
Henry, Earl of Northumberland. *See* Northumberland.
Henry, 129.

Perpignan (Perpinian), 141.
garrison of, 136.
siege of, 154.
Persia, King of, 193.
Persian Basha, 143.
Persians, the, make peace with the Turks, 143.
Peterborough, Bishop of [Thomas Dove], 46.
——, letter from, 92.
[Joseph Henshaw], letter from, 168.
Peterborough, Henry Mordaunt, Earl of, 175.
Petersfield, co. Hants, 189.
Petre (Peter):
John, Lord, 53.
Petty, Mr., 24.
Petworth (Pettworth), Surrey, royal house and park at, 75.
Peyton, Robert and William, 21.
Phillips, Philips:
Edward, 25.
Sir Edward, Speaker of the House of Commons, 43, 44.
Father Robert, confessor to Queen Henrietta Maria, 132, 133.
Physic, Doctor of, 82.
Picardy, troops in, 142.
Piccolomini (Picolominie), Octavio, Imperial General, 119, 120, 123, 127, 143.
Pickering (Pyckering, Peckren):
Sir Gilbert, 157, 158.
—— letter from, 160.
Sir John, 106, 109, 110.
Lewis, 48.
Pickering *and* Pickering Leigh, co. York, castle and lordship of, 77.
Pierce:
John, Bishop of Salisbury, letter from, 17.
Mrs., 114.
Pigot, Christopher, 44.
Pilsen, rendezvous at, 126.
Plague (sickness), the, 130.
pass in time of, 167.
Plantations, Council of. *See* Trade and Plantations.
Plymouth, 17, 180, 193.
Plympton (Plinton), co. Devon, castle and hundred of, 77.
Poland or Polonia, 99.
King of, 119-121, 127.
——, John Sobieski, 186, 193.
Queen of, 120.
Prince Casimir of. *See* Casimir.
news from, 118.
order of the Virgin Mary in, 118.
Pole:
Sir Courtney, late sheriff of co. Devon:
——, letter from, 185.
——, family of, 185.
——: 185.
Pomerania, 118.
Pontefract (Pomfret), co. York:
castle of, 77.
honour of, 76.
Poole, Thomas, petition of, 168.
Poole, co. Dorset, musters at, 81.
Pope, the, 35, 119(2), 125, 136, 142, 147, 159.
nuncios of, 123, 126.
the Queen "set on by," 150.
Popham, Sir John, Lord Chief Justice of the Queen's Bench, Council letter signed by, 30.
Popish Plot, the, 186.
Popo, in Hungary, 99.
Porter:
Endymion (Indimion), 133.
James, certificate by, 169.
Portland, co. Dorset, castle of, 70, 203.
Portsmouth, Earl of, son of. *See* Lymington, Viscount.
Portsmouth, 34, 68, 69, 169(2), 189.
bulwarks near, Chaderstone's, Stark's, *and* the Windmill, 69.
castle of, 69.
garrison of, governor of, 189, 199.
troops going to, 193.
Portugal (Portugall), 136.
King of, 154.
protestant officers from, 169.
towns of, in the East Indies, 154.
truce of, with Holland, 136.
vice-roy of, 119.
Posts, the, master and officers of, 58.
Pott, John, schoolmaster, 83.
Prague, 119, 126.
King of Bohemia's court at, 104.
Presburg, 99.
Pressing of soldiers, bill for, 134, 135.
Prestall, John, 83.
Pretty (Pritie), Capt. Henry, 162.
Price, Dr. Elis, letter from, 20.
Prideaux (Pridgiox), John, made Bishop [of Worcester], 131.
Privy Council:
of Edward VI., 4, 5.
of Elizabeth, 15, 19, 24, 28.
—— letters from, 11, 22, 24, 25, 30.
—— order in, 22.
of James I., 43, 45-47, 58, 86, 93, 95.
—— letters from, 86, 87(2), 90, 91, 97, 106.
—— members of, sworn, 96.
of Charles I., 111-113, 115, 131.
——, letters from, 124, 125, 157.
——, president of. *See* Conway, Lord.
——, clerk of. *See* Waad, Sir William; Becher, Sir William.
of Charles II., 188.
—— committee of, 184.
—— letter from, 169.
Privy Councillors, 140, 151, 191.
Privy Seal, Lord, 56. *And see* Manchester, Earl of.
clerk of. *See* Mylles, Francis.
Privy seals, 86, 87.
Protestants, 153.
Prussia, 127.
King of, ambassador from. *See* Spanheim, Baron.
Puckering, Sir John, Lord Keeper, Council orders signed by, 24, 25.
Purefoy (Purevey) John, 11.
Puritan clergy, at the Hampton Court conference, instructions for, 32-40.
—— list of, 34.

Puritans, or puritan party, the 148, 153.
ill-treatment of, 135.
Purveyors' Office, 184.
Putney, Surrey, 188.
Pym (Pim) John, 132, 137, 145, 147, 148.
called "King John Pym," 134.
as one of the "five members," 140, 141.
quoted by the King, 151.

Q

Quainton, co. Bucks, 161.
Queenborough (Queenburowe), Kent, castle of, 73.

R

Raab (Rub) in Hungary, 99.
Radnor, castle of, 80.
Radnor, county of, musters in, 82.
Rainsford, Captain, 111.
Ramsbury, co. Wilts:
letter dated at, 165.
manor house of, 165, *note*.
Randall, Edward, Sergeant-Major, 8.
Randes, Mr., 22.
Rannaw, General, 142.
Ratcliffe, Earl of Sussex. *See* Sussex.
Ratisbon (Ratesbone). *See* Regensburg.
Ravis, Dr. Thomas, Dean of Christ Church, Oxford, 33.
Rawlinson, Curwen, letter from, 181.
Rawson, —, 29.
Raynoldson, George, 203.
Read, Reede, Rede:
Captain, 7.
Colonel, 154.
John, 24.
Sergeant, 202.
Reading, co. Berks, 196.
troops at, to or from, 195-197.
the White Hart at, 196.
Reba, surrender of, to the Turks, 143.
Recusants, 91, 104.
Reedt, Monsieur, 17.
Regensburg (Regenspurge) or Ratisbon, 97, 125, 186.
Remonstrance, the Grand, 136.
Rendarvy, Capt. Nicholas, 169.
Requests, Masters of, 57.
Resburius, Theodorus, letter from, 165.
Restormel (Restornell), Cornwall, castle and park of, 78.
Revenue, the, officers of, and their fees, 54.
Reynolds (Reinolds), Dr. John, 34.
Rhé, isle of (Ill-array), voyage of, 111.
Rheinen, skirmish near, 119.
Rheinfeld (Rhinefeild), 127.
Rhenish wine, 103.
Rhine (Rhyne, Rhene), the river, 91, 101, 122.
troops upon, 119, 136, 143.
Rich:
Col. Nathaniel, regiment of, 162.
Robert, Lord (afterwards Earl of Warwick, (*q.v.*), 53.
Sir Robert, 152.
one, 152.
Richelieu (Richelew), Cardinal, 126, 127, 155.
reported to be near death, 154.
Richmond and Lennox:
James Stuart, Duke of, 145, 157.
Duchess of, 187.
Richmond, Surrey, 188.
Court at, letters from, 24, 25.
Lord Hertford's house at, 132.
royal house and park at, 74.
Richmond, district of, co. York, churches in, 84.
Rigby, Edward, letter from, 185.
Ring, use of the, in marriage, objected to, 34.
Riplingham, Mr., 111.
Risley (Risle), co. Derby, letter dated at, 116.
Roberts (Roberds), John, Lord, 140.
Rochester, Laurence Hyde, Earl of, Lord Treasurer, 193.
Rochester, Kent, 88, 170.
Rockingham, Edward Watson, 2nd Lord, 175.
Rockingham:
Castle, 31 *note*.
Forest, co. Northampton (the Forest), 12, 17, 41, 104.
——, Lieutenant of. *See* Burghley, Thomas, Lord.
——, —— Deputy of. *See* Montagu, Sir Edward (3).
——, Ranger of, letter to, 97.
——, Verderers and other officers of, 17, 18, 42.
letters dated at, 110, 111.
Rodney, Mr., of the Horse Guards, 180.
Roe, Sir Thomas, 131.
Rolls, Master of the, 55.
Roman Catholic *or* Popish priests, 134, 135.
Rome:
ambassador to, 136.
appeal to, 136.
Church of, ceremonies and canons of, 35-40.
Roos:
Baron of. *See* Rutland, Earl of.
John Manners, Lord, son of the 8th Earl of Rutland, letter from, 174.
Rotweil, forces near, 118.
Rousillon, news from, 141.
Roustropp, Francis, 7.
Royal Society, member of, 178.
Rudbert [? Badbury], co. Dorset, royal park of, 77.

Rules concerning perilous days, 1.
Rupert (Robert, Rubert), Prince Palatine of the Rhine, 136, 159.
imprisonment of, 121, 123, 124.
regiment of, 165.
Rupin, attempt to take, 126.
Rusdorf (Rousdorfe, Rusdorpe), John Joachim, 124, 125.
Rushworth's collections, papers printed in, 127 (2).
Russell:
Edward, Lord Russell, 53, *and see* Bedford, Earl of.
Capt. Theodore, 169.
Sir William, Governor of Flushing, 13.
——, letters from, 13, 15.
William, Lord [of Thornhaugh], 53.
Ruthven (Ryvers), Patrick, 3rd Lord, 9.
son of, 9.
Ruthyn, Baron. *See* Kent, Earl of.
Rutland:
Roger Manners, 5th Earl of, Baron of Roos, 52.
Francis Manners, 6th Earl of, 107.
John Manners, 8th Earl of, 110, *note*.
—— wife of. *See* Montagu, Frances.
—— daughter of. *See* Exeter, Frances, Countess of.
Rutland, county of:
churches in, 84.
musters in, 81.
Rycote (Riccott), Lord Norris de. *See* Norris.
Ryvers. *See* Ruthven.

S

Sacheverell, John, 83.
Sachser (Sakzer) circle, 126.
Sackville, Thomas, Lord Buckhurst and Earl of Dorset. *See* Buckhurst *and* Dorset.
Sadler:
Sir Ralph, 8.
Mr., 22.
Saffron Bullock (Bulbeck), co. Cambridge, 183.
Prior (Pryor), co. Cambridge, 183.
St. Alban's (St. Albons), Earl of [Ulick Burke, Earl of Clanricarde], 155.
St. Alban's [St. Albones, St. Tabornes], co. Herts:
castle and forest of, 73.
musters at, 81.
royalists at, 162.
St. Andrew's Point, co. Hants, 69.
St. Asaph, diocese of, churches in, 84.
St. Bernard, 1.
St. Christopher's or St. Kitt's, 112, 200.
St. Davids:
Bishop of [Anthony Rudd], 33.
diocese of, churches in, 84.
St. Edmond Bury. *See* Bury St. Edmunds.
St. Germains (St. Germaine), 127.
St. Hilarie, Jersey, letter addressed to, 175.
St. James', Middlesex, royal house and garden of, 72.
St. John (Johan) the Evangelist, 1.
—— ante portam Latinam, 2.
St. John:
William Paulet, Lord, of Basing, 53.
Charles Paulet, Lord, of Basing, farmer of the Customs, 178.
E. [? Lady], letter from, 12.
—— husband of, 12.
Oliver, 3rd Lord, of Bletshoe, 53.
Oliver, Solicitor General, 145.
Sir Rowland, K.B., 122.
—— letter from, 113.
St. John of Jerusalem, knight of, 83 *note*.
St. John's, letter dated at, 122.
St. Juliana, 2.
St. Kitts. *See* St. Christophers.
St. Neots (St. Needes), royalists captured at, 161, 162.
St. Omer, siege of, 118.
St. Peter's port, Guernsey, letter dated at, 175.
St. Vincent, Cape, 136.
Salisbury (Salisburie, Sallybury):
Robert Cecil, 1st Earl of, 48, 52.
—— as Master of the Wards, 55.
—— letters from, 47, 48.
William Cecil, 2nd Earl of, Master of the Wards, 115, 149, 153, 155.
—— speech of, to the King, 153.
—— wife of, 115.
—— Elizabeth, 2nd daughter of, 115.
Salisbury or Sarum, 34.
Bishop of. *See* Pierce, John, *and* Ward, Seth.
musters at, 81.
Salter, one, 152.
Samaris, Mr., 174.
Samuell:
Mr., 24.
Sir Richard, 157.
Sandall, co. York, castle of, 71.
Sandford [? Sandfoot], co. Dorset, fort of, 70.
Sandgate, co. Kent, castle of, 68.
Sandham (Sanham), co. Hants, castle and bay of, 70.
Sandwich, Edward Montagu, Earl of, 166.
Sandwich, co. Kent, 67, 171, 190.
castle of, 67.
Sandys (Sandes, Sands, Sonds):
Sir Edwin, speech of, 50.
Sir George, 118.
—— wife of, 118.
William, Lord, 53.
Sanhill, co. Kent, castle of, 67.
Sardinia, 119.
Sarsefeild, Colonel, 199.
Saunders, Robert, 11.
Savile, Saville:
Henry, Vice-Chamberlain to Charles II., 190.
Thomas, Viscount, 138, 157

Savoy, 119 (2).
Cardinal of, 120, 126, 142.
Duke of [Charles Emanuel], 94.
—— the young, 121.
Duchess of, 123, 125.
Princes *and* Princess of, 120.
Sawyer, young Mr., 141, 147.
Saxony (Saxonie), John George, Duke and Elector of, 97, 120, 123.
forces of, 119, 123, 127.
General of. *See* Taube.
sons of, 120.
Saye *or* Saye and Sele (Sea).
Richard Fiennes, Lord, 53.
William Fiennes, Lord, imprisonment of, 125.
—— statement by, 106.
Lady, 139.
Scarborough (Scarburowe, Skarborowe) co. York. Castle of, 76, 163.
Road, ships in, 151.
Schaumburg, troops in, 136.
Schenk (Skinke) Martin, Dutch General, 19.
Schonberg (Scomburgh), Duke of, 200.
Schute (Sute), Robert, Justice of the Queen's Bench, 21.
Schwarreiter (Swartrutters), 8.
Scilly (Cellie) islands of, 202.
captain of, 71.
Scotland, 11, 107, 125, 127, 131, 193.
English army going to *or* in (1560), 7-9.
—— list of captains in, 7.
—— principal officers of, 8.
Great Council of, 151.
King Charles I. in, 138.
—— army of, going to. *See* Charles I.
Lords of the Congregation in, 8.
news from, 140.
Parliament of, 131, 192.
—— commissioners from, 192.
—— —— petition of, 127.
—— —— answer to, 127.
—— Lord Commissioner to. *See* Murray, Lord.
parties in, 163.
Queen Dowager of [Mary of Lorraine], 8.
Treasury of, to be put into commission, 192.
union of, with England, papers relating to, 41, 45, 50 (2).
—— Commissioners for, 45.
Scots *or* the Scots, 8, 125, 128, 134, 154, 163.
army in England, 124, 128.
—— Commanders-in-Chief of, 128.
and Charles I. *See* Charles I.
banished, 166.
Commissioners in England, 147, 192, 193.
general in Ireland. *See* Monro, Robert.
lords, 179.
officers, 192.
Scots *or* the Scots—*cont.*
slain in Ireland, 144.
treaty with, 128, 129.
—— commissioners for, 129.
troops for *or* in Ireland, 137, 140, 145, 147, 166.
wife, a, 148.
Scott, James. *See* Monmouth, Duke of.
Scrope, Scroope (Scroppe):
Col. Adrian, 161.
Henry, Lord, 8.
Thomas, Lord, 52.
Seaman, Mr., 188.
Secretaries of State, 28, 88, 129. *And see*:
Smith, Sir Thomas.
Herbert, Sir John.
Coke, Sir John.
Windebank, Sir Francis.
Falkland, Lord.
Trevor, Sir John.
Jenkins, Sir Leoline.
Godolphin, Sidney.
——, fees of, 57.
Segar, William, King-at-Arms, 59.
Selby (Selbye):
John, 7.
Quarter-master Rowland, letters from, 170 (2).
—— letter to, 170.
Selby-upon-Ouse, co. York, 124.
Selley:
Richard, knight of St. John of Jerusalem, 83.
Richard, of Middlesex, 83.
Thomas, 83.
Semerene [? Simmeren] on the Moselle 102.
Senoy, Colonel. *See* Sonoy.
Separatists, 141.
Serjeants-at-law, 90.
fees of, 56.
manner of making, 23.
rights of, in Serjeants' Inn, 50 *note*.
Serusen [? Jersey], churches in, 84.
Sevenoaks, co. Kent, 194.
Sewthay Lodge, co. Northampton. *See* Southay Lodge.
Seymour (Seymer), Edward, Earl of Hertford. *See* Hertford.
Shaftesbury, Anthony Ashley Cooper, Earl of, 201.
Shales, Commissary, 193.
Sharpe:
Nicholas, 25.
Dr., 192.
Shaw:
John, letter from, 188.
Captain, 187.
Sheffield (Sheffeilde, Sheifeilde):
Edmund, Lord (afterwards Earl of Mulgrave), 53.
Mr., 34.
Shelley, James, 83.
Shelton, Humphrey, 83.
Sherwood, Mr., 34.
Ship money, 118.

Ships:
clerk of the, 58.
in Holland, 16.
named:
10*th Whelp*, 144.
Phœnix, frigate, 180.
Shirley:
Mr., 153.
Seawallis, 202.
Shrewsbury (Shrowsburie), Gilbert Talbot, Earl of, 51.
Shrewsbury (Shrowsburie), musters in, 81.
Shropshire or Salop:
churches in, 84.
musters in, 81.
royal castle, parks, &c. in, 76.
Shute, co. Devon, letter dated from, 185.
Sicily (Sicilia), reported revolt in, 142.
Siena, letter dated at, 89.
Signet (Signe), the, 5, 131.
clerk of the, 58.
Silesia, troops in, 143. 154.
Sion (Syon), co. Middlesex, royal house and garden at, 72.
Sisiphus' (Sciciphus') stone, 187.
Skenfrith (Skenrith), co. Monmouth, woods of, 79.
Skievyn, Captain, 7.
Skinner, Mr., 22.
Skippon, Capt. [Philip], as commander of the train bands of London, 143.
Skoller, —, Lord Burghley's man, 41.
Skreens [Essex?], letter addressed to, 182.
Slingsby, Mr., secretary of the Council of Trade and Plantations, 178.
Smart, Edmond, 83.
Smith, Smythe:
Sir Lawrence, 7.
Mr., 167.
Sir Thomas, Secretary of State, letter signed by, 11.
Snailwell (Snelwell), co. Cambridge, 183.
Snape, Mr., 34.
Soames (Somes), Alderman Thomas, 128.
Soham (Socham, Soam), co. Cambridge, lordship of, 73.
Soldiers:
deserters, 180.
disabled, payments for, 191.
enlisting of, 180.
pressing of, bill for, 134.
Solicitor General, 55, 56, *and see* St. John, Oliver.
Solomon, proverbs of, quoted, 29.
Somerset:
Charles Seymour, Duke of, 188.
Captain, 7.
Edward, Earl of Worcester. *See* Worcester.
Somerset, county of:
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 81.
royal castle, park, &c. in, 77.
Somes, William, 83.
Sonoy (Sonnoy, Senoy), Colonel, 15 (2), 16.
letter to, 14.
Sorbonists, the, 159.
Southampton:
Henry Wriothesley, Earl of, 52, 96.
——, statement by, 106.
Thomas Wriothesley, Earl of, made a Privy Counsellor 140,.
—— as Lord Treasurer, 177.
—— death of, 177.
Southampton:
castle of, 77.
musters in, 81.
Southampton, county of. *See* Hampshire.
Southay *or* Sewthay Lodge, co. Northampton, letters dated at, 49, 97.
Southwark, borough of, 172.
King's Bench prison in. *See* King's Bench.
muddy ale of, 190.
Southwell, Sir Robert, 178.
Spain *or* the Spaniard, 94, 118, 119, 134, 142. 154, 193.
King of, 91, 98, 103, 118, 120, 142.
—— admiral of. 118.
—— general of, 99.
Queen of, birth of her daughter. 120.
Prince Charles' visit to. *See* Charles, Prince.
aid to Ireland from, 151.
Spanheim, Baron of, ambassador of the King of Prussia, certificate by, 201.
Spaniards, the, 99, 102, 103, 112, 119, 122, 123, 126.
defeat of, 122, 143.
Spanish:
ambassador, 90, 152, 188.
—— mass at the house of, 152.
army, troops, or forces, 98, 118, 124, 126. 136, 140, 142, 154.
—— generals of, 136.
Council. 120.
Court, 119.
design, 88.
fleet, 112, 120, 136, 193.
Low Countries, generals in, 143. *And see* Bucquoi.
protection, 142.
silver, 107.
Sparke, Sparkes:
Dr., 34.
Mr., 20.
Spencer:
Sir John, 24, 25.
—— letter to, 9.
Robert, Lord Spencer, 53, 95.
—— letters from. 105, 110.
Sir William, his son, 106, 110.
—— letter from. 109.
Sperreutor, Imperial general, 143.
Spinola, Marquis de, Imperial General, 90.
movements of, 91, 98, 100-103.
army of, 98, 101-103.
Spithead, 201.
Sports, Declaration of, letters relating to, 94, 95.
Spragg (Sprage) Admiral Sir Edward, 168.
Stafford, Edward, Lord, 52.

Stafford, county of:
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 81.
royal parks in, 76.
Staines, 185.
Stalhaus, Swedish General, 143.
Stamford (Stanford):
Henry Gray, Earl of, 150, 152.
Thomas Gray, Earl of, 172, 173.
——, wife of, 173.
——, uncle of. *See* Grey, Anchitel.
Stanford, co. Northampton, 109.
woodward of, 12.
Stanhope, John, Lord Stanhope, 53.
Stanley:
Sir Rowland, 7.
William, Earl of Derby. *See* Derby.
William, Lord Monteagle. *See* Monteagle.
Stanton, Anthony, 83.
Stapleton (Stappleton):
Sir Philip, 154.
Thomas, 83.
William, 83.
Star Chamber, the, 55, 89.
cases in, 96, 105.
Council in, clerk of, 58.
to be abolished, 130.
Star Cross, co. Devon, 180.
State, ministers of, "voted null" in the Lords' House, 151.
Stede, Edwyn, letter from, 199.
Steepes or Stepes, Robert, 83.
Stevens, Mr., 22.
Steward, Major, 185.
Steyne, on the frontiers of Bohemia, 99.
Stockwell, Surrey, royal house and garden at, 74.
Stony Stratford, co. Bucks, county forces assembling at, 159.
Stoughton, William, 19.
Stourton, Edward, Lord, 53.
Stowe, co. Buckingham, letter dated at, 202.
Strafford, Thomas Wentworth, Earl of, 129.
bill of attainder of, 130 (2).
plot for conveying away, 130.
Strange (Straunge):
Lord. *See* Derby, Earl of.
Sir Nicholas, 8.
Strasburg, 97.
Street, Captain, 184.
son-in-law of, 184.
Stretsworth, co. Cambridge, 183.
Stringer, Sir Thomas, 193.
Strode, Stroude, Strowd:
Captain, 180.
Colonel, regiment of, 190.
Mr., 202.
William, impeachment of, 140.
Studley, Mr., 34.
Stutville, captain, in the Navy, 146.
Styrley, Mr., 3, 4.
Subsides:
collectors for, 11, 106.
treasurers for receiving, 106
Succession, Act of, 5.
Suffolk, Thomas Howard, Earl of, Lord Chamberlain, 45, 52.
—— as Lord Treasurer, 92 *note*.
Suffolk, county of, 189.
archdeacon of, 83.
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 82.
royal castles, manors, &c. in, 73,
Sunderland, Robert Spencer, Earl of, 198.
signature of, 185.
Supremacy, oath of, 134.
Surrey, Earl of. *See* Arundel.
Surrey, county of, 34, 168, 189.
churches in, 84.
fugitives from, beyond seas, 83.
High Sheriff of (in 1588), 19.
Justice of Peace in, 93.
musters in, 81.
royal castles, manors, &c. in, 74.
Surwarte, Sir John, 7.
Sussex:
Frances Ratcliffe, Countess Dowager of, letters from, 18 (2).
Robert Ratcliffe, Earl of, Lord Fitzwalter, 52.
Thomas Ratcliffe, Earl of, letters from, 11 (2).
Sussex, county of, 34, 168.
castles and forts in, 68.
churches in, 84.
fugitives from, beyond seas, 83.
musters in, 81.
royal castles, manors, &c. in, 75.
Sutton:
Captain, 7.
Edward, Lord Dudley. *See* Dudley.
See also Dudley Sutton.
Sweden, Queen of, 126, 143, 154.
Sweden and the Swedes, 119 (2), 121, 123, 125, 172.
army of, 136, 143, 159, 172.
generals of, 143. *And see* Banner, Torstensen *and* Wrangell.
Lord regents of, 142.
successes of, 126, 154.
Swedish governor, 136.
Swiss (Switzers), the, 118, 120.
Swiss diet, 160.
Switzerland (Switserland), 119.
levies in, 122, 142.
Sydney, Robert, Viscount Lisle. *See* Lisle.
Syers, John, 156.
Symms, Mr., 180.
Synod, the, 150, 152.

T

Talbot (Talbott), Gilbert, Lord, 52, *and see* Shrewsbury, Earl of.
Tanfeilde, Robert:
letter from, 105.
letter to, 105.
Tangier, 180, 181.
Tartar Cham, 143.
Tartars, the, 186.
Tate:
Peter, 22.
Sir William, 50.
—— letters from, 87, 88, 93.
—— wife of, 88, 94.
—— son of, 94.
Taube, General-Major of the Elector of Saxony, 123.
Taylor [William], expelled the House of Commons, 130.
Tertullian, quotations from, 38, 39.
Thame, co. Oxford, letter addressed to, 176.
Than (Tan), fortress of, 120, 127.
Theobalds (Tiballes), the King at, 96.
Thessaly (Thessalia), 123.
Thingden, co. Northampton, letter dated at, 22.
Thomas, Prince. *See* Carignan, Prince of.
Thomas, Walter, 202.
Thompson, John, 181.
Thomson (Tomson), Giles, Dean of Windsor, 33.
Thoroton, 183, 184.
Thorowgood, Mr., 188.
Thracia, 123.
Thrapston, co. Northampton, 27, 28.
Throgmorton, Sir Arthur, 87, 95.
Thuringia, 136.
Thurn, Count (Tourne, Earl of), 100.
Tichbourne (Tychborne), Sir Henry, Governor of Drogheda, 145, 146, 151.
Tilbury, Essex, fortifying of, 168.
East, bulwark of, 68.
West, 69.
Hope, 169.
Tintagel (Tintagell), Cornwall, castle of, 78.
Tiroll, a lady of, 123.
Tobago, island of, settlement on, 200.
Toledo, archbishopric of, 142.
Tonnage and poundage, 128, 130.
bill for, 145, 146.
Topcliffe [? co. York], parks of, 79.
Torrington (Torington), Arthur Herbert, Earl of, 201.
Torstensen (Storstenson), Swedish general, 126, 136, 143.
Tottenham High Cross, 131, 194.
Totteridge (Toterige), co. Herts, 111.
Touchett, George, Lord Audeley. *See* Audeley.
Tower of London, the, 128, 166, 178.
constable of, 71, 138.
labourers' places at, 202.
Lieutenant of:
—— dispute as to the choice of, 136, 137.
—— Sir John Conyers appointed as, 147.
lions at, 71.
officers of, 58, 71.
ordnance at, 139.
—— firing of, 105.
prisoners in or sent to, 5, 134, 135, 139.
soldiers at, 128, 140.
watched by the citizens, 130, 137.
Townshend, Mr., 164.
Trade:
proposals concerning, 178.
and Plantations, Council of, 178.
—— secretary of. *See* Slingsby, Mr.
Transylvania (Transilvania), 143.
agent from, 123.
Prince of. *See* Bethlem Gabor.
——, (in 1642), 143.
—— ——, son of, 143.
Treasury, the, 184, 193.
Lords of, 181.
Trelawny, Colonel Charles, regiment of, 193.
Trematon or Tremerton, Cornwall, castle of, 78 *note*.
Tremouilles, Marquis de, ambassador from France, 96.
Trent, the:
justices north and south of, 57.
lords north of, 8.
Tresham:
Sir Lewis, Bart., 87.
Mr., 12.
Sir Thomas, 106.
William, 156.
Trevere. *See* Camphere.
Treves or Trier (Tryers):
Bishop of, 101.
the boors of, 142.
Trevireton [? Trematon], co. Cornwall, castle of, 78.
Trevor (Treavor):
Sir John, 161, 163.
—— as Secretary of State, 177.
Marie, 163.
Trollope, Sir Thomas, 160.
Trumball, Mr., and his son, 187.
Tully (Tulley), quotation from, 131.
Tunbridge, letter dated at, 197.
Tunstalle, Francis, 7.
Turenne, Vicomte de, Marshal of France, 42.
victory of, 172.

Turin (Thurin), disturbances in, 126.
Turk or Turks, the (the Turkish monster), 99, 120, 143, 166.
army of, 88.
Babylon taken by, 124.
invasion of the Empire and siege of Vienna by, 185, 186.
confederacy against, 193.
Turner, Mr., 34.
Tutbury (Tudburie):
co. Derby, honour of, 76.
co. Stafford, castle and park of, 76.
——, the Little park at, 76.
Twelfth day, 2.
Twickenham (Twittenham), 193.
Twinge, John, 82.
Tynemouth (Tinmouth), co. Northumberland, castle of, 71.
Tyrone (Teron), Earl of [Hugh O'Neill], daughter of, 154.
Tyton, Robert, 25.

U

Ulms, state of, 97.
Ulster, province of, 144, 147.
Scots in, 166.
Universities, the, Bill concerning papists at, 201.
Upton, co. Northampton, letter dated at, 26.
Utrecht, 16.
letter dated at, 16.

V

Valette, de la. *See* Lavalette.
Valtelline (Veltoline), the, 120, 122, 123.
Van den Ende, Monsieur, signature of, 13.
Vane:
Sir Henry, signature of, 124.
Sir Henry, jun., Treasurer of the Navy, 135, 146.
Vaughan (Vawghan), Captain, 7.
Vaux, Edward, Lord, 53.
Velasco, Don Lewis de, army of, 98.
Venetian bailiff, the, 120.
Venetians, the, 119, 124.
Venice, 188.
Resident of, 188.
Vere:
Henry de. *See* Oxford, Earl of.
General Sir Horace, 102, 103.
Vernon (Vernunne):
Henry, 7.
Mr., 200.
Verulam, Francis Bacon, Lord, letter from, 104.
Vice-Chamberlain, Mr. (*temp.* Elizabeth). *See* Heneage, Sir Thomas.
Vienna, 99-104, 123, 186.
Emperor's palace at, 186.
letter from, 97.
negotiations at, 136, 143.
siege of, by the Turks. *See* Turks.
travellers to, 119, 120, 123, 131.
Villiers:
Lord Francis, younger son of the 1st Duke of Buckingham, 162.
George, Lord, made Earl of Buckingham (*q.v.*), 93.
Sir John, his brother, marriage of, to Frances Coke, 93.
Lieut.-Colonel, 182.
Vincent, Nathaniel, letters from, 179, 180.
Virginia, 109.
Vivian, Thomas, letters from, 179(2), 184, 186, 193 (2).
copy by, 179.
Vlissingues, Vlisshing. *See* Flushing.
Von Glehn (Gleene), Imperial General, 127.
Vroenevelt *or* Froenevelt, Colonel, 16.

W

Waad, Sir William, clerk of the Council, signature of, 30.
Wakefield, lord [? lordship of], 71.
Wakerley, co. Northampton, 12.
letter dated at, 12.
Walcheren, island of, 14.
Wales:
dioceses of, churches in, 84.
Lord Gerard made President of, 93.
musters in, 81.
North, 20, 57, 80.
—— castles in, 80.
—— Council of the Marches of, 20.
—— letter dated from, 20.
South, 57, 79, 80.
—— castles in, 79, 80.
Walgrave, co. Northampton:
letter dated at, 94.
parson of, 94.
Wallesey, near Liverpool, horse race at, 181.
Wallingford, letter dated at, 197.
Walloons (Wallons), regiment of, 98.
Walmer (Wallmer), Kent, castle and bulwark of, 68.
Walpole, Sir Edward, letter from, 202.
Walsyngham, Sir Francis, letter from, 21.
Waltham, Essex, forest of, 72.
Wanstead (Wanstede), co. Essex, Earl of Leicester's house at, 17.
War, Treasurer at. *See* Hurleston, Richard; Uvedall, Sir William.
—— Secretary at. *See* Blathwayt, William.

Ward, Warde:
Sir Patience, trial of, 185.
Seth, Bishop of Salisbury, Chancellor of the Order of the Garter, 188.
Thomas, 3.
Wardour, Lord Arundel of. *See* Arundel.
Wards and Liveries, Court of:
document dated at, 116.
Master of. *See* Salisbury, Earls of.
officers of, 55.
Ware, co. Herts, 137.
the King at, 96.
Warkton, co. Northampton, 6.
letter dated at, 160.
rector of. *See* Estwick, Nicholas.
Warkworth, co. Northumberland:
castle of, 79.
letter dated at, 11.
Warwick:
Ambrose Dudley Sutton, Earl of, Viscount Lisle, 52.
Anne Dudley, Countess of, his widow, letter from, 26.
—, brother of. *See* Russell, Sir William.
Sir Philip, 177.
Robert Rich, Earl of:
——, quarrel of, with the Archbishop of York, 135.
——, is to command the fleet, 150.
——, sends a letter to the House, 153.
——, as Lord Admiral, 163.
Warwick, county of, 203.
churches in, 84.
commissioners of Array in (?), letter from, 157.
musters in, 81.
royal parks in, 75, 79 (?).
sheriff of [Robert Lee], 157.
Warwick, town of, 157.
letter dated at, 157.
Waterford (Watterford) yielded to the rebels, 144, 146.
Wathe, Fitzford (?), letter from, 115.
Watson (Watsonn):
Edward, 7, 31 *note*.
—— letter from, 7.
Edward, afterwards Sir Edward, his son, 49.
—— letter from, 31.
—— letter to, 49.
Sir Edward (in 1642), 156.
Sir Lewis, 96, 106, 107, 109, 110, 121, 156.
—— letters from, 95, 96, 110, 111.
—— his Uncle William. *See* Montagu, William.
Webster, "brother," 29.
Weimar, Duke Bernard of, 118-125.
acrostic on, 121.
army of [Wemaryan forces], 120, 123, 125, 136, 143.
victory gained by, 119.
Wedgnock, co. Warwick, parish and park of, 75.
Weld, Cornet, 168.
Weldon (Welldon), co. Northampton, 110.
letter dated at, 156.
Wellingborough, co. Northampton, 21.
Wendon, Nicholas, Archdeacon of Suffolk, 83.
Wentworth, Thomas, Lord, afterwards Earl of Cleveland, 53.
Werben, on the Elbe, 119.
Wesel (Wesell), the, 98.
camp of the Prince of Orange on, 103.
West, Thomas, Lord de la Warr. *See* De la Warr.
Westerwald (Westerwalde), the, 123, 126.
Westhorpe, Suffolk, manor of, 73.
West Indies, the, 143.
Westminster:
citizens or apprentices at, 137, 138 (2).
Dean of. *See* Andrews, Lancelot.
guard sent to, 134, 135.
militia, Red regiment of, lieut.-colonel of, 202.
meeting of Parliament at, 40, 140.
treasure brought to, 169.
troops going to, 194.
tumults at, 129, 134, 137-139.
buildings, &c., in:
Abbey or Church of, 23, 138.
Cockpit, letters dated at, 168 (2), 169 (2).
College of, 106.
—— letter dated at, 104.
Courts at, lists of offices and fees in, 54-56.
Hall, 23.
—— fight in, 137.
Palace of, documents dated at, 86, 87, 111, 121, 124, 127, 167.
—— the Old, letters dated at, 192 (2).
Park, &c., at, keeper of, 71.
Queen Street in, letter dated from, 203.
St. Margaret's Lane, 159, 160.
School, boys at, 162.
——, head-master of. *See* Busby, Dr.
Whitehall, in. *See* Whitehall.
Westmorland (Westmoreland):
Charles Fane, Earl of, letter from, 177.
Francis Fane, Earl of, 110 (2).
—— eldest son of. *See* Burghersh, Lord.
Mildmay Fane, Earl of, as Commissioner of Array, 155, 156, 158.
—— letters from, 156, 157.
Westmoreland (Westmreland) county of:
churches in, 84.
musters in, 81.
Weston:
Mr. (priest), 3.
Westowe, co. Hants, fort of, 69.
Westphalia, 123.
Wetterau, the, 125-127, 143.
Weymouth, co. Dorset, 70.
Wharton:
Philip, Lord, 53.
Whigs, the, 180.
Whitcastle, co. Monmouth, woods of, 79.

Whitehall, 105.
or the Court at, documents dated at, 23, 30 (2), 86, 87 (2), 90, 91, 97, 117 (2), 124, 125, 169-172, 182, 188, 189 (2), 191.
clerk of the kitchen at, 97.
gate, 183.
——, guard at, 138.
King James I. at, 88, 96.
Privy Chamber, at, 191.
sitting of the Council at, 131.
soldiers at, 138, 139.
Treasury Chamber at, letter dated from, 169.
Whitehead (Whitehede), John, 3.
Whitelock, [Bulstrode], 133.
Whitgift, John, Archbishop of Canterbury, 33.
signature of, 24.
Whitmore, Mrs., 114.
Whitmores (Whitmors), the, 118.
Whorewood, Brome, 188.
Wichwood, co. Oxford, forest of, 78.
Wickham. *See* Wycombe.
Widley, Mr., 34.
Wier, Wiere, co. Salop, forest of, 76.
Wight (Wieghte), Isle of:
Captain of, 70.
Governor for, 133.
treaty [of Newport] in, 163.
Wigmore, co. Hereford, castle of, 75.
Wilcockes, Mr., 34.
Wilde, "young Dr." 187.
father of, 187.
Wilkinson (Wilkynson), Anthony, parson, 83.
William III, King, 201.
fleet of, 201.
Williams:
Dr. John, Dean of Westminster, Bishop of Lincoln, Lord Keeper:
——, Council order signed by, 106.
——, letter from, 104.
—— made Archbishop of York, 131.
—— sent to the Tower, 137.
—— quarrel of, with Lord Warwick, 135.
Dr. John, parson of Wargrave, 95.
—— letter from, 94.
Williamson, Joseph (afterwards Sir Joseph), 172.
Willinson, Anthony, gent., 83.
Willoughby (Willughbie, Willowghbie) d'Eresby:
Sir Francis, 111.
Peregrin Bertie, Baron of, Lieutenant General for Queen Elizabeth in the Low Countries, 15. 84 *note*.
—— letters from, 14, 15.
Robert Bertie, Baron of, his eldest son (afterwards Earl of Lindsey, *q.v.*), 52, 84, 85, 87, 107.
—— wife of. *See* Montagu, Elizabeth.
—— brother of. *See* Bertie, Peregrine.
Willoughby of Parham (Willobie of Parrum):
Francis, Lord, answer of, to the King, 153.
William, Lord, 53.
Willoughby (Wilughby):
Sir Henry, 115, 116.
—— letter of, 116.
—— wife of, 115.
—— daughter of, 115, 116.
—— brother of, 115.
Wilmer, Sir William, 156.
Wilmott, Colonel, 131.
Wilson, Mr., 34.
Wilts (Wilshire), county of, 34.
churches in, 84.
musters in, 81.
Wilton, Lord Grey of. *See* Grey.
Wilton, resident at 34.
Wiltosmere (? Whittleseamere), co. Hunts, house and park at, 73.
Wimbledon (Wimbleton) Surrey, letter dated at, 27.
Wimburne Holt, co. Dorset, chase of, 77.
Winchester, William Paulet, Marquis of, 51.
Winchester:
Bishop of, [Thomas Bilson], 33. *And see* Montagu, Dr. James.
Dean of. *See* Abbot, George.
castle of, 77.
musters at, 81.
Winchester bushel, a, 146.
Winde *or* Wynd (Wind, Wyne):
Sir Robert, gentleman of the Privy Chamber, letters to, 86, 117 (2), 164 (?).
—— son and daughter of, 164 (?).
William, Esq., 167.
Cornet, Lieutenant *or* Captain William, 197.
—— letters to, 170, 171, 173-175, 190, 194 (2), 196 (2), 197 (4).
—— notes by, 168, 176, 185, 188.
—— as captain of a troop in Jersey, 173-176.
—— —— certificate in favour of, 176.
Ensign, letter to, 165.
—— father of, 165.
Windebank (Wyndebank), Sir Francis, Secretary of State, 124.
Windsor:
Thomas, Lord, 53.
Lord (in 1685), 190.
Windsor (Wyndsor), 145, 162, 181, 183, 185, 187, 188, 196.
burgess for, 130.
castle, 180.
—— constable of, 78.
—— Lieutenant and other officers of, 78.
—— prisoners brought to, 162.
the Court at, 184, 192.
—— letters dated from, 172, 185, 189, 194 (3), 195 (6).
Dean of. *See* Thomson, Giles.
forest of, 74, 78.
Wingfield (Wingefelde):
John, death of, 23.
Mr., 23, 26.
Robert, 11.
Sir Robert, letter from, 26.
Wingham, co. Kent, 171.

Winter (Wynter):
Admiral, 8.
unlicensed preacher, 168.
Wintour (Winter), Sir John, secretary to Queen Henrietta Maria, 140.
——, brother of, 140.
Winwood:
Elizabeth, Lady, wife of Sir Ralph, 159.
—— letters from, 117, 161, 162 (3), 164.
—— letter to, 88.
—— Anne, daughter of, 117. *And see* Montagu, Anne.
Sir Ralph, 44 *note*.
—— letter from, 88.
—— letters to, 85, 89.
—— children of, 88.
Richard, son of Sir Ralph, 161.
—— letters from, 186 (2), 187.
Wise, Cornet Richard, 197 (2).
letter from, 197.
Wittenweiher, battle of, 119.
Wolgast, surrender of, 119.
Wood (Woode):
Montagu, letter from, 115.
—— letter to, 116.
—— daughter of, 115.
—— brother of, 116.
Mr., 34.
Woodford, co. Northampton, letter dated at, 113.
Woodstock (Wooddstocke), co. Oxford, park of, 78.
Woorine [? Warren], Mr., 23.
Worcester, Edward Somerset, Earl of, Lord Herbert of Chepstow, 52.
as Master of the Horse, 67.
Council order signed by, 106.
Worcester, 46, 47.
Bishop of [Gervase Babington], 33.
Dean of. *See* Edes, Richard.
Worcester (Wigorn), county of:
churches in, 84.
musters in, 81.
Worms (Wormes), 101, 102.
Wotton:
Edward, Lord, 53.
Sir Henry, ambassador to the Emperor, 97, 98, 102.
Wrangell, Swedish General, 118, 172.
Wray, Sir Christopher, Lord Chief Justice of the Queen's Bench (1574-1592), 23.
Wright, Dr., 164.
Wriothesley:
Henry, Earl of Southampton. *See* Southampton.
Lady Elizabeth, daughter of Thomas, Earl of Southampton, and wife of (1) Josceline, Earl of Northumberland; (2) Ralph Montagu, 170, 186, 187.
—— father and mother of, 171.
—— —— children of, 186.
Würtemberg (Wertemberg), 125.
Wych, Sir Peter, 157.
Wycombe (Wickham) High, co. Bucks, 176.
Wyndham:
Captain Sir Charles, letter to, 197.
Major (?) Francis, letter from, 169.
Wyrly, John, 156.

Y

Yaxley, Captain, 7.
Yewe, Mr., 31.
York, Duke of. *See* James.
York, city of, 124, 129, 148, 154, 155. 157, 158.
castle of, 70.
cathedral church of, 50.
commissioners return from, 154.
the court at, 127, 128, 149, 157.
letters dated at, 127 (2), 157.
mayor of, house of, 125.
musters at, 81.
rendezvous at, 121.
York, county of (Eborū, Yorkshier), 154.
castles and forts in, 70.
churches in, 84.
deputy lieutenants and colonels in, petition of, 121.
fugitives from, beyond seas, 82.
gentlemen of, summoned by the King, 152.
Lord Lieutenant of. *See* Essex, Earl of.
musters in, 81.
petition from, 148.
royal castles and manors of, 76, 79 (?).
sheriff of, 148.
Younge, Edward, letter from, 202.
Yllston. *See* Illston.

Z

Zachary, Francis, 93.
Zeeland, cautionary towns in, 91.
Zouche, Zouch (Souch):
Edward, Lord, 52, 84 *note*, 88, 89.
—— letter from, 84.
George, Lord, letter to, 9.

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